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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

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Tuesday, September 2, 2014 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang, Chiu	2nd and 4th Thursday 11:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Volume 109 Number 28

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Kim, seconded by Supervisor Tang, moved to approve the Board Meeting Minutes of July 8, 2014, July 15, 2014, July 22, 2014, and July 29, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of correspondence from Mayor Edwin Lee on August 19, 2014, communicating the Second Declaration of Local Emergency, relating to the Rim Fire (Stanislaus National Forest Area), pursuant to Charter, Section 3.100, and Administrative Code, Chapter 7, which empowers the Mayor to proclaim the existence of a local emergency, subject to ratification by the Board of Supervisors. Further communicating that this matter was placed on the Without Reference to Committee Agenda on today's meeting.

CONSENT AGENDA

Recommendations of the Budget and Finance Sub-Committee

140774 [Police Code - Street Artist Certificate Fee Waivers for Honorably Discharged Veterans]

Sponsor: Mayor

Ordinance amending the Police Code to require the Director of Cultural Affairs, or his or her designee, to waive Street Artist Certificate fees for honorably discharged veterans and to grant refunds to honorably discharged veterans who file a refund claim on or before July 1, 2015, for any fees collected between January 1, 2009, and July 1, 2014.

Ordinance No. 192-14

FINALLY PASSED

140801 **[Appropriation - Proceeds from Earthquake Safety and Emergency Response General Obligation Bonds of $106,095,000 - FY2014-2015]**
Sponsors: Mayor; Chiu
Ordinance appropriating $106,095,000 of the 2014 Series Earthquake Safety and Emergency Response (ESER 2014) General Obligation Bond Proceeds to the Department of Public Works in FY2014-2015 for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster.
(Fiscal Impact)

Ordinance No. 193-14

FINALLY PASSED

140802 **[Appropriation - Proceeds from Earthquake Safety and Emergency Response General Obligation Bonds of $57,840,000 - FY2014-2015]**
Sponsors: Mayor; Chiu
Ordinance appropriating $57,840,000 of the 2014 Series Earthquake Safety and Emergency Response (ESER 2010) General Obligation Bond Proceeds to the Department of Public Works in FY2014-2015 for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster.
(Fiscal Impact)

Ordinance No. 194-14

FINALLY PASSED

Recommendation of the Rules Committee

140643 **[Administrative Code - Energy Efficiency Coordinating Committee]**
Sponsor: Mar
Ordinance amending the Administrative Code to rename the Energy Efficiency Steering Committee as the Energy Efficiency Coordinating Committee; to reauthorize the Committee for one year unless further extended by the Board of Supervisors; to change the qualifications for membership on the Committee; and to revise the Committee's powers and duties.

Ordinance No. 191-14

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the Consent Agenda

Supervisor Breed requested that File No. 140776 be severed so that it may be considered separately.

Recommendation of the Land Use and Economic Development Committee

140776 [Police, Business and Tax Regulations Codes - Regulating Mechanical Amusement Devices and Arcades]

Sponsors: Breed; Wiener and Kim

Ordinance amending the Police Code to reduce restrictions on the location of, and lessen permitting requirements for, mechanical amusement devices and arcades, and remove obsolete Code provisions; and making environmental findings.

Supervisor Breed, seconded by Supervisor Kim, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Ordinance amending the Police Code to reduce restrictions on the location of, and lessen permitting requirements for, mechanical amusement devices and arcades, and remove obsolete Code provisions; amending the Business and Tax Regulations Code to clarify the appeal period for appealing mechanical amusement device permits and other Entertainment Commission permits to the Board of Appeals; and making environmental findings.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Sub-Committee

140795 [Outreach Advertising and Neighborhood Outreach Advertising - FY2014-2015]

Sponsor: Mayor

Resolution designating Small Business Exchange to be the outreach newspaper of the City and County of San Francisco for the African American, Chinese and Hispanic communities; Sing Tao Daily and World Journal to be the outreach newspapers of the City and County of San Francisco for the Chinese community; El Reportero to be the outreach newspaper of the City and County of San Francisco for the Hispanic community; San Francisco Bay View to be the outreach newspaper of the City and County of San Francisco for the African American community; Bay Area Reporter to be the outreach newspaper of the City and County of San Francisco for the Lesbian, Gay, Bisexual and Transgender community; Central City Extra to be the neighborhood outreach newspaper of the City and County of San Francisco for the Central City neighborhood; The Western Edition to be the neighborhood outreach newspaper of the City and County of San Francisco for the Western Addition neighborhood; Northside Publications/Marina Times to be the neighborhood outreach newspaper of the City and County of San Francisco for the Northern San Francisco neighborhood; West Portal Monthly to be the neighborhood outreach newspaper of the City and County of San Francisco for the West Portal neighborhood; and Potrero View to be the neighborhood outreach newspaper of the City and County of San Francisco for the Potrero Hill, Dogpatch, Bayview, SOMA, Mission Bay neighborhoods; to provide outreach advertising for FY2014-2015.

Resolution No. 322-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendation of the Budget and Finance Sub-Committee

140586 [Emergency Contract - Flatiron, West, Inc. - Repairing Lower Cherry Aqueduct - Not to Exceed $14,000,000]

Resolution approving an emergency public work contract between the Public Utilities Commission and Flatiron, West, Inc., under San Francisco Administrative Code, Section 6.6, to perform immediate work to repair Lower Cherry Aqueduct in response to an emergency drought declaration with a contract amount not to exceed $14,000,000. (Public Utilities Commission) (Fiscal Impact)

Resolution No. 321-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

140725 [Underground District - Ringold Alley]

Sponsor: Kim

Ordinance creating Underground District No. 360 on Ringold Alley from 8th Street to 9th Street; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

There were none.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

140836 [Public Hearing - Establishing the Community Facilities District (CFD) 2014-1 (Transbay Transit Center)]

Public hearing of persons interested in or objecting to the proposed Resolution of Formation for Special Tax District No. 2014-1, establishing the Transbay Transit CFD and determining other matters in connection therewith; Resolution determining necessity to incur bonded indebtedness for the CFD; and Resolution calling for a special election in the City and County of San Francisco to submit the issues of the special tax, the incurring of bonded indebtedness and the establishment of the appropriations limit to the qualified electors of the CFD. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File Nos. 140836, 140814, 140815, and 140816. Supervisor Kim made some opening remarks and moved to continue the matters open to September 9, 2014, at 3:00 p.m. Matt Field (TMG Partners); Bruce Agid (TJPACAC); Patrick Valentino (TJPACAC); Alice Rogers; Charlie Lavin; expressed various concerns and spoke in opposition to the current proposed district. Supervisor Wiener made some closing comments. There were no other speakers.

Supervisor Kim, seconded by Supervisor Campos, moved that this Hearing be CONTINUED open to September 9, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

The President CONTINUED the Hearing open to September 9, 2014, at 3:00 p.m.

Committee of the Whole Adjourn and Report

140814 [Resolution of Formation - City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center)]

Sponsor: Mayor

Resolution of formation of the City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) and determining other matters in connection therewith.

Supervisor Kim, seconded by Supervisor Campos, moved that this Resolution be CONTINUED to September 9, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140815 [Determining Necessity to Incur Bonded Indebtedness - City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center)]

Sponsor: Mayor

Resolution determining necessity to incur bonded indebtedness for City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) and determining other matters therewith.

Supervisor Kim, seconded by Supervisor Campos, moved that this Resolution be CONTINUED to September 9, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140816 **[Special Election for the Community Facilities District No. 2014-1 (Transbay Transit Center)]**

Sponsor: Mayor

Resolution calling for a special election in the City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center).

Supervisor Kim, seconded by Supervisor Campos, moved that this Resolution be CONTINUED to September 9, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

140658 **[Hearing - Street Vacation Order - McCoppin Hub City Plaza Project - McCoppin Street]**

Hearing of persons interested in or objecting to the proposed Ordinance ordering the vacation of portions of McCoppin Street west of Valencia Street that is generally bounded by Highway 101 to the west, Valencia Street to the east, Assessor's Block No. 3503, Lot No. 003 to the north, and Assessor's Block No. 3502, Lot No. 113 to the south, for the purposes of the McCoppin Hub City Plaza Project; reducing the official sidewalk width on the southerly side of McCoppin Street, establishing a new sidewalk on the easterly side of Valencia Street adjacent to the street vacation area, and reducing the official right-of-way width of this portion of McCoppin Street; approving an interdepartmental transfer of the vacated area from the Department of Public Works to the Division of Real Estate; making findings under the California Environmental Quality Act and adopting findings that the vacation and public right-of-way changes are consistent with the General Plan, and the eight priority policies of City Planning Code, Section 101.1; and authorizing actions in furtherance of this Ordinance. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File Nos. 140657 and 140283. Supervisor Kim provided some opening remarks. John Updike, Real Estate Director, provided an overview of the vacation and responded to questions raised throughout the discussion. Supervisor Wiener provided some closing comments. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

Referred Without Recommendation from the Land Use and Economic Development Committee

140657 [Street Vacation Order - McCoppin Hub City Plaza Project - McCoppin Street]

Sponsors: Kim; Wiener

Ordinance vacating a portion of McCoppin Street west of Valencia Street that is generally bounded by Highway 101 to the west, Valencia Street to the east, Assessor's Block No. 3503, Lot No. 003 to the north, and Assessor's Block No. 3502, Lot No. 113 to the south, for the purposes of the McCoppin Hub City Plaza Project; reducing the official sidewalk width on the southerly side of McCoppin Street, establishing a new sidewalk on the easterly side of Valencia Street adjacent to the street vacation area, and reducing the official right-of-way width of this portion of McCoppin Street; approving an interdepartmental transfer of the vacated area from the Department of Public Works to the Division of Real Estate; making findings under the California Environmental Quality Act and adopting findings that the vacation and public right-of-way changes are consistent with the General Plan, and the eight priority policies of City Planning Code, Section 101.1; and authorizing actions in furtherance of this Ordinance.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

140283 [Planning Code - Rezoning McCoppin Plaza to Public Use/Open Space Zoning]

Sponsors: Kim; Wiener

Ordinance amending the Planning Code to rezone McCoppin Street from Valencia Street to its terminus on Market Street from NCT-3/85-X and 40- X (Moderate-Scale Neighborhood Commercial Transit District) to P (Public Use)/OS (Open Space) as part of the establishment of McCoppin Hub Plaza; and making findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Male Speaker; expressed various concerns.
Reuben David Goodman; expressed various concerns relating to human rights and nursing facilities.
Male Speaker; expressed various concerns relating to children abductions.
John DiDonna; shared in poem certain concerns relating to public transit with the Board.
Patrick McCann; expressed various concerns relating to the proposed Flower Market acquisition.
John Decantur; expressed various concerns relating to home sharing.
Male Speaker; expressed various concerns relating to undocumented youth and home sharing.
Cynthia; expressed various concerns relating to home sharing.
Karen C.; expressed various concerns relating to home sharing.
Madeleine Savit; expressed various concerns relating to emergency preparedness and disaster relief.
Geo; expressed various concerns relating to home sharing.
Dave Massen; expressed various concerns relating to proposed legislation relating to carbon tax.
Andrew Kingsdale; expressed various concerns relating to proposed legislation relating to carbon tax.
Ashley; expressed various concerns relating to home sharing.
Nancy Rock; expressed various concerns relating to domestic violence.
Beverly Upton (Domestic Violence Consortium); expressed various concerns relating to domestic violence.
Tom Gilberty; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

140896 [Committee of the Whole - Special Election for the Community Facilities District No. 2014-1 (Transbay Transit Center)]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on September 2, 2014, at 3:00 p.m., to hold a public hearing to consider a Resolution (File No. 140816) calling for a special election in the City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center). (Clerk of the Board)

Motion No. M14-141

APPROVED

140883 [Commitment to Investing in the Safety of Children in Parks and Open Space]

Sponsors: Cohen; Breed, Avalos, Kim and Chiu

Resolution reaffirming the commitment of the City and County of San Francisco to invest in the safety of its children in our parks and open space.

Resolution No. 323-14

ADOPTED

140887 [Supporting California Assembly Bill 935 (Frazier) - California Veterans Driver's License]

Sponsors: Farrell; Chiu

Resolution supporting California State Assembly Bill 935, introduced by Assembly Member Frazier, which calls for the creation of clearly identifiable California state driver's licenses and identification cards for veterans.

Supervisor Chiu requested to be added as a co-sponsor.

Resolution No. 324-14

ADOPTED

140872 [Final Map 7788 - 530-534 Clipper Street]

Motion approving Final Map 7788, a six residential unit condominium project, located at 530-534 Clipper Street, being a subdivision of Assessor's Block No. 6545, Lot No. 011, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-142

APPROVED

140890 [Final Map 7764 - 138-146 Beulah Street]

Motion approving Final Map 7764, a six residential unit condominium project, located at 138-146 Beulah Street, being a subdivision of Assessor's Block No. 1250, Lot No. 014, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-143

APPROVED

140891 [Final Map 7633 - 45 Lansing Street]

Motion approving Final Map 7633, a 320 residential unit condominium project, located at 45 Lansing Street, being a subdivision of Assessor's Block No. 3749, Lot No. 059, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-144

APPROVED

140894 [Concurring in the Second Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]

Motion concurring in the "Rim Fire" Second Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

Motion No. M14-145

APPROVED

140898 [Final Map 7844 - 2715-2719 Sacramento Street]

Motion approving Final Map 7844, a five residential unit condominium project, located at 2715-2719 Sacramento Street, being a subdivision of Assessor's Block No. 0633, Lot No. 015, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-146

APPROVED

140899 [Final Map 7726 - 870 Harrison Street]

Motion approving Final Map 7726, a 26 residential unit and one commercial unit, mixed-use condominium project, located at 870 Harrison Street, being a subdivision of Assessor's Block No. 3752, Lot No. 019, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-147

APPROVED

140900 [Final Map 7761 - 400 Oak Street]

Motion approving Final Map 7761, a six residential unit condominium project, located at 400 Oak Street, being a subdivision of Assessor's Block No. 0830, Lot No. 005, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-148

APPROVED

140901 [Final Map 7584 - 25-35 Dolores Street]

Motion approving Final Map 7584, a 37 residential unit condominium project, located at 25-35 Dolores Street, being a subdivision of Assessor's Block No. 3534, Lot No. 069, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-149

APPROVED

140902 [Zoning - Report on Interim Moratorium on Change of Institutional Use in a Portion of the University Mound Neighborhood]

Motion adopting the Planning Department's report on the interim zoning moratorium on changes of institutional use in a portion of the University Mound neighborhood bounded by Highway 280 on the north, Wayland Street on the south, University Street on the east, and Cambridge Street on the west. (Clerk of the Board)

Motion No. M14-150

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

140381 [Administrative, Planning Codes - Amending Regulation of Short-Term Residential Rentals and Establishing Fee]

Sponsor: Chiu

Ordinance amending the Administrative Code to provide an exception for permanent residents to the prohibition on short-term residential rentals under certain conditions; to create procedures, including a registry administered by the Planning Department, for tracking short-term residential rentals and compliance; to establish an application fee for the registry; amending the Planning Code to clarify that short-term residential rentals shall not change a unit's type as residential; and making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

(9/2/14 - Supervisor Chiu submitted a substitute ordinance bearing new title.)

04/15/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/15/2014.

05/01/14; REFERRED TO DEPARTMENT.

09/01/14; NOTICED.

09/02/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

140806 [Health, Building Codes - Ventilation Requirement for Urban Infill Development and Establishing Fees]

Sponsors: Cohen; Kim

Ordinance amending the Health Code, Article 38, to require an enhanced ventilation system for sensitive use projects within the Air Pollutant Exposure Zone and establishing document review fees; amending the Building Code to correspond to the Health Code changes; making environmental findings, and findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

07/15/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/14/2014.

07/29/14; REFERRED TO DEPARTMENT.

08/14/14; RESPONSE RECEIVED.

09/02/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

140878 [Administrative, Police Codes - Criminal History Inquiries for Employment and Housing]

Sponsors: Kim; Cohen

Ordinance amending the Administrative and Police Codes to narrow the definition of Property Contracts that are subject to limitations on criminal history inquiries; allow employers and City contractors to inquire about and consider infractions on driving records for positions involving driving; allow employers and City contractors to inquire about and consider a conviction that is more than seven years old for positions involving the supervision or care of minors, dependent adults, or seniors; authorize the City to bring a civil action against a housing provider that violates restrictions on criminal history inquiries; and provide that the criminal history inquiry restrictions in these Codes prevail over any existing conflicting City law.

07/29/14; ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee, expires on 8/28/2014

08/04/14; TRANSFERRED to Land Use and Economic Development Committee.

08/13/14; REFERRED TO DEPARTMENT.

09/02/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

140917 [Remarketing of Finance Corporation Lease Revenue Bonds Series 2008-1 and 2008-2 (Moscone Center Expansion Project)]

Sponsor: Mayor

Ordinance approving the remarketing of the City and County of San Francisco Finance Corporation Lease Revenue Refunding Bonds, Series 2008-1 (Moscone Center Expansion Project) and City and County of San Francisco Finance Corporation Lease Revenue Refunding Bonds, Series 2008-2 (Moscone Center Expansion Project); approving the form of a reimbursement agreement among the City and County of San Francisco, the City and County of San Francisco Finance Corporation, and the State Street Bank and Trust Company; approving the form of an amended and restated reimbursement agreement; approving the form of a fee agreement; approving the form of an amended and restated fee agreement; approving the form of a remarketing supplement; approving the form of custodian agreement; approving the form of amended and restated custodian agreement; granting general authority to City officials to take necessary actions in connection with the remarketing of the Bonds; approving modifications to documents; approving the execution and delivery of certain documents described herein and ratifying previous actions taken in connection therewith.
(Fiscal Impact)

09/02/14; ASSIGNED to Budget and Finance Committee.

140918 [Appropriation - Legal Services for Unaccompanied Children and Families - Mayor's Office of Housing - $2,127,600 - FYs 2014-2015 and 2015-2016]

Sponsors: Campos; Avalos and Yee

Ordinance appropriating $2,400,000 from the General Fund Reserve to the Mayor's Office of Housing, $1,200,000 in FY2014-2015 and $1,200,000 in FY2015-2016, for legal services for unaccompanied children and families on the San Francisco Immigration Court's expedited removal docket.

(Fiscal Impact; No Budget and Legislative Analyst Report)

09/02/14; ASSIGNED to Budget and Finance Committee.

140919 [Health Code - Gas Station Bathrooms]

Sponsor: Farrell

Ordinance amending the Health Code to eliminate the requirement that gasoline stations provide separate toilet facilities for men and women.

09/02/14; ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee, expires on 10/2/2014.

Resolutions

140920 [Lease Disposition and Development Agreement and Lease and Access License - Geneva Office Building and Powerhouse Rehabilitation - Cameron Beach Rail Yard]

Sponsors: Avalos; Farrell

Resolution approving and authorizing a Lease Disposition and Development Agreement and 55-year Lease and Access License to the Friends of the Geneva Office Building and Powerhouse for the rehabilitation and use of the Geneva Office Building and Powerhouse for Cameron Beach Rail Yard; affirming a community plan exemption determination by the Planning Department and adopting findings pursuant to the California Environmental Quality Act; authorizing the San Francisco Municipal Transportation Agency Director of Transportation, or designee, to execute and make certain modifications to the Access License; and authorizing the General Manager of the Recreation and Park Department, or designee, to execute certain documents, make certain modifications, and take certain actions in furtherance of this Resolution.

(Fiscal Impact)

09/02/14; ASSIGNED to Budget and Finance Committee.

140921 [Revolving Fund Agreement - California Victim Compensation and Government Claims Board - Burial or Emergency Relocation of Homicide Victims - $75,000]

Sponsor: Breed

Resolution retroactively authorizing the Office of the District Attorney to renew its current agreement with the California Victim Compensation and Government Claims Board, an agent of the State of California, for a revolving fund in the amount of $75,000 to be used to pay for verified funeral/burial, relocation, crime scene clean-up, and other emergency loss expenses for eligible homicide victims for the period of July 1, 2014, through June 30, 2017.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140922 [Accept In-Kind Gift - Vera Institute of Justice - Prosecution and Racial Justice Program Technical Assistance - $408,654]

Sponsor: Breed

Resolution retroactively authorizing the Office of the District Attorney to accept an in-kind gift of Prosecution and Racial Justice Program technical assistance valued at $408,654 from the Vera Institute of Justice for the grant period of January 1, 2014, through June 30, 2015.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140923 [Intention to Develop Competitive Grant Program to Fund Community Recidivism and Crime Reduction Services]

Sponsors: Cohen; Chiu

Resolution affirming the Board of Supervisors' intention to develop, in collaboration with the Community Corrections Partnership, a competitive grant program to fund community recidivism and crime reduction services with funds awarded to the City and County of San Francisco by the California Board of State and Community Corrections.

09/02/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140924 [Multifamily Housing Revenue Note (Bill Sorro Community) - Not to Exceed $25,000,000]

Sponsors: Kim; Mar

Resolution authorizing the execution, sale, and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed $25,000,000 for the purpose of providing financing for the construction of a 67-unit affordable rental housing development known as Bill Sorro Community; approving the form of and authorizing the execution of a funding loan agreement and a borrower loan agreement; providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; authorizing the collection of certain fees; approving modifications, changes, and additions to the documents; granting general authority to City officials to take actions necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the note and the project, as defined herein.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140925 [Property Conveyance and Ground Lease - 67 Units Affordable Housing - Mercy Housing California 51 - 1009 Howard Street]

Sponsors: Kim; Mar

Resolution approving and authorizing the conveyance of real property located at 1009 Howard Street from the Office of Community Investment and Infrastructure to the Mayor's Office of Housing and Community Development (as Successor Housing Agency to the San Francisco Redevelopment Agency); approving and authorizing the Mayor's Office of Housing and Community Development to enter into a 99 year ground lease totaling $99 with Mercy Housing California 51, a California limited partnership, for the development and operation of 66 units of affordable housing (plus one manager's unit) on such property; and making findings that the conveyance and ground lease are in conformance with the California Environmental Quality Act, the General Plan, and the eight priority policies of Planning Code, Section 101.1.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140926 **[Apply for Grant - Ryan White Act HIV/AIDS Emergency Relief - $36,118,233]**
Sponsors: Wiener; Campos
Resolution authorizing the Department of Public Health to submit an application to continue to receive funding for the Ryan White Act HIV/AIDS Emergency Relief Grant Program (Ryan White Programs, Part A) Grant from the Health Resources Services Administration, requesting $36,118,233 in HIV emergency relief program funding for the San Francisco Eligible Metropolitan Area for the period of March 1, 2015, through February 28, 2016.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140927 **[Apply for Grant - Comprehensive HIV Prevention Programs - CY2015 - $8,174,213]**
Sponsors: Wiener; Campos
Resolution authorizing the Department of Public Health to submit a one-year application for calendar year 2015 to continue to receive funding for the Comprehensive HIV Prevention Programs Grant from the Centers for Disease Control and Prevention, requesting $8,174,213 in HIV prevention funding for San Francisco from January 1, 2015, through December 31, 2015.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140928 **[Contract Amendment - AnsaldoBreda, Inc. - Light Rail Vehicle Reconditioning and Systems Rehabilitation - Not to Exceed - $74,649,614]**
Sponsor: Wiener
Resolution approving Amendment No. 2 to Contract No. APT 591.01, Light Rail Vehicle (LRV) Doors and Steps Reconditioning and Systems Rehabilitation, between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency and AnsaldoBreda, Inc., to remove the doors and steps and air supply unit work from the project scope and shift the balance of the money to rehabilitate the trucks of 41 LRV's with three options to rehabilitate the trucks of 24, 24, and 23 LRV's, respectively, if funds become available, for a total contract amount not to exceed $104,263,354 and to extend the term of the contract to no later than October 31, 2018. (Fiscal Impact)

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140929 **[Supporting Bans on Nontherapeutic Uses of Antibiotics in Livestock Production]**
Sponsor: Avalos
Resolution supporting State and national bans on nontherapeutic uses of antibiotics in livestock production.

09/02/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140930 **[Urging Enactment of a Revenue-Neutral Carbon Tax]**
Sponsors: Avalos; Breed, Mar and Yee
Resolution urging the United States Congress to enact a revenue-neutral carbon tax.

09/02/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140931 [Accept and Expend Grant - Vera Institute of Justice - Preventing Crime and Victimization - $228,283]

Sponsor: Chiu

Resolution retroactively authorizing the Office of the District Attorney to accept and expend a technical assistance grant valued at $228,283 from the Vera Institute of Justice, funded by the Foundation to Promote Open Society, for the grant period of June 1, 2014, through May 31, 2016, to enhance the Office's Community Safety and Performance Strategy, to prevent crime and victimization by improving operational performance through research and data-driven approaches to prosecution.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140932 [Accept and Expend Grant - California Department of Parks and Recreation's Habitat Conservation Fund - Youth Stewardship Program - $200,000]

Sponsor: Chiu

Resolution authorizing the Recreation and Park Department to accept and expend a grant of $200,000 from the California Department of Parks and Recreation's Habitat Conservation Fund to support the Youth Stewardship Program.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140933 [Infant Mortality Awareness Month - September]

Sponsor: Cohen

Resolution declaring September "Infant Mortality Awareness Month" in the City and County of San Francisco.

09/02/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140934 [Apply for Grant - State-County Assessors' Partnership Agreement Program - Not to Exceed $530,000 Annually Plus Required Matching Funds]

Sponsor: Farrell

Resolution authorizing the Office of the Assessor-Recorder to apply for the State-County Assessors' Partnership Agreement Program to improve the administration of the county property tax rolls and related essential duties for an amount not to exceed $530,000 annually plus required dollar-for-dollar matching funds for FYs 2014-2015 through 2016-2017 to commence no later than September 15, 2014, if approved.

09/02/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140935 [Accept and Expend Grant - University of California - Centers for Disease Control and Prevention Kenya - Monitoring and Evaluation - $378,524]

Sponsor: Wiener

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of $378,524 from the University of California San Francisco to participate in a program entitled Centers for Disease Control and Prevention Kenya - Monitoring and Evaluation for the period of September 30, 2013, through September 29, 2014.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motion

140938 [Closed Session - Anticipated Litigation - Establishing Community Facilities District 2014-1 (Transbay Transit Center)]

Sponsor: Chiu

Motion that the Board of Supervisors convene in closed session on September 9, 2014, for the purpose of conferring with or receiving advice from the City Attorney regarding anticipated litigation relating to the potential formation of Special Tax District 2014-1, also known as the Transbay Transit Community Facilities District; in which the City is a potential defendant; pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(2), which permits this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in anticipated litigation.

09/02/14; RECEIVED AND ASSIGNED to Board of Supervisors.

Request for Hearing

140936 [Hearing - Auto Towing Policies and Fees for Stolen Vehicles]

Sponsor: Wiener

Hearing directed to the Municipal Transportation Agency, the Police Department, and AutoReturn to discuss how the City and AutoReturn treat recovered stolen vehicles, including towing policies, how tow fees and penalties are structured, how stolen cars recovered on the street are processed, and how any new contract can be modified to treat the owners of stolen towed vehicles more fairly.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

140892 [Settlement of Lawsuit - Margarita Herrera - $475,000]

Ordinance authorizing settlement of the lawsuit filed by Margarita Herrera against the City and County of San Francisco for $475,000; the lawsuit was filed on June 5, 2013, in San Francisco Superior Court, Case No. CGC 13-531901; entitled Herrera v. City and County of San Francisco, et al. (City Attorney)

08/04/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

140904 [Settlement of Lawsuit - Justin Neisuler - $63,000]

Ordinance authorizing settlement of the lawsuit filed by Justin Neisuler against the City and County of San Francisco for $63,000; the lawsuit was filed on December 4, 2012, in San Francisco Superior Court, Case No. CGC-12-526598; entitled Justin Neisuler v. City and County of San Francisco, et al. (City Attorney)

08/25/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

140905 [Settlement of Lawsuit - Sean Alexander Hold - $210,000]

Ordinance authorizing settlement of the lawsuit filed by Sean Alexander Hold against the City and County of San Francisco for $210,000; the lawsuit was filed on December 16, 2013, in the United States District Court for the Northern District of California, Case No. C13-5814 CW; entitled Sean Alexander Hold v. City and County of San Francisco, et al. (City Attorney)

08/25/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

140906 [Settlement of Lawsuit - Eduardo Alegrett - $285,000]

Ordinance authorizing settlement of the lawsuit filed by Eduardo Alegrett against the City and County of San Francisco for $285,000; the lawsuit was filed on October 29, 2012, in the United States District Court for the Northern District of California, Case No. C-12-5538-MEJ; entitled Eduardo Alegrett v. City and County of San Francisco, et al. (City Attorney)

08/25/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

140860 [Cooperative Agreement Modification - United States Navy - Treasure Island Development Authority]

Resolution approving and authorizing the Treasure Island Development Authority to enter into a modification of the Cooperative Agreement with the United States Navy to extend the Cooperative Agreement from October 1, 2014, to September 30, 2015. (Treasure Island Development Authority)

07/21/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140861 [Master Lease Amendment - United States Navy - Treasure Island Childcare]

Resolution approving Amendment No. 10 to the Treasure Island Childcare Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year for the period of December 1, 2014, through November 30, 2015. (Treasure Island Development Authority)

07/21/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140862 **[Master Lease Amendment - United States Navy - Treasure Island Event Venues]**
Resolution approving Amendment No. 26 to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year for the period of December 1, 2014, through November 30, 2015. (Treasure Island Development Authority)

07/21/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140863 **[Master Lease Amendment - United States Navy - Treasure Island Fire Fighting Training Center]**
Resolution approving the Sixth Amendment to the Treasure Island Fire Fighting Training Center Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year for the period of December 1, 2014, through November 30, 2015. (Treasure Island Development Authority)

07/21/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140864 **[Master Lease Amendment - United States Navy - Treasure Island Land and Structures]**
Resolution approving Amendment No. 39 to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year for the period of December 1, 2014, through November 30, 2015. (Treasure Island Development Authority)

07/21/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140865 **[Master Lease Amendment - United States Navy - Treasure Island Marina]**
Resolution approving Amendment No. 18 to the Treasure Island Marina Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year for the period of December 1, 2014, through November 30, 2015. (Treasure Island Development Authority)

07/21/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140866 **[Master Lease Amendment - United States Navy - Treasure Island South Waterfront]**
Resolution approving Amendment No. 30 to the Treasure Island South Waterfront Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year for the period of December 1, 2014, through November 30, 2015. (Treasure Island Development Authority)

07/21/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140867 [Settlement of Grievance - Pamela Arons - $130,000]

Resolution approving settlement of the unlitigated grievance (ERD No. 45-08-1876) of Pamela Arons against the City and County of San Francisco for $130,000; Service Employees International Union, Local 1021, notified the City of the grievance entitled Grievance of Pamela Arons, on June 30, 2008. (City Attorney)

07/28/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

140868 [Settlement of Claim - Isa and Vegar Svanemyr - $15,130,000]

Resolution approving the settlement of the unlitigated claims filed by Isa and Vegar Svanemyr against the City and County of San Francisco for $15,130,000 to be paid in three installments; claim was filed on November 8, 2013. (City Attorney)

07/28/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

140869 [Settlement of Claim - Wendy and Johnny Tseng - $114,074.63]

Resolution approving the settlement of the unlitigated claim filed by Wendy and Johnny Tseng against the City and County of San Francisco for $114,074.63; claim was filed on January 21, 2014. (City Attorney)

07/28/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

140870 [Settlement of Claim - Lisa Howe - $35,000]

Resolution approving the settlement of the unlitigated claim filed by Lisa Howe against the City and County of San Francisco for $35,000; claim was filed on October 17, 2013. (City Attorney)

07/28/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

140871 [Contract Approval - Andrews International - Armed and Unarmed Security Services - Not to Exceed $29,226,586.68]

Resolution approving the contract between the San Francisco Municipal Transportation Agency (SFMTA) and Andrews International to provide armed and unarmed security services for an amount not to exceed $29,226,586.68 for an initial three year term of September 15, 2014, through August 31, 2017, with an option to extend for up to three additional years at the SFMTA's sole discretion. (Municipal Transportation Agency)
(Fiscal Impact)

07/28/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140893 [Settlement of Claim - Janie Vargas and Stanley E. Pond - $55,000]

Resolution approving the settlement of the unlitigated claim filed by Janie Vargas and Stanley E. Pond, Esq., against the City and County of San Francisco for $55,000; claim was filed on March 3, 2014. (City Attorney)

08/04/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Rules Committee.

140903 [Contracts - Various Vendors - Technology Marketplace - Not to Exceed $12,000,000 Each]

Resolution authorizing the Office of Contract Administration to enter into nine contracts for the Technology Marketplace (Successor to the Technology Store) purchases between the City and County and En Pointe Technologies, Inc., World Wide Technology, Inc., ComputerLand of Silicon Valley, Xtech JV, Technology Integration Group, Central Computers, Stellar Services, Robert Half Technology, and InterVision Systems Technologies, Inc., with initial not to exceed amounts of $12,000,000 each, for the term ending September 30, 2017, to commence following Board approval, with two options to extend the contracts for up to one year each at the sole and absolute discretion of the City. (Office of Contract Administration)
(Fiscal Impact)

08/22/14; RECEIVED FROM DEPARTMENT.

09/02/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriams

Nancy Luscia Roddick - Supervisor Wiener
Bryan 'Feather Lynn' Higgins - Supervisor Wiener
Nancy Carlin Tracey - Supervisor Yee
Mary Atchinson - Board President Chiu
Zach Watson - Board President Chiu and Supervisor Kim
Mi'yana Gregory - Supervisor Kim

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:52 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 7, 2014.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

APR - 9 2015

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, September 9, 2014 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang, Chiu	2nd and 4th Thursday 11:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Volume 109 Number 29

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

There were no items.

REGULAR AGENDA

UNFINISHED BUSINESS

Referred Without Recommendation from the Land Use and Economic Development Committee

140657 [Street Vacation Order - McCoppin Hub City Plaza Project - McCoppin Street]

Sponsors: Kim; Wiener

Ordinance vacating a portion of McCoppin Street west of Valencia Street that is generally bounded by Highway 101 to the west, Valencia Street to the east, Assessor's Block No. 3503, Lot No. 003 to the north, and Assessor's Block No. 3502, Lot No. 113 to the south, for the purposes of the McCoppin Hub City Plaza Project; reducing the official sidewalk width on the southerly side of McCoppin Street, establishing a new sidewalk on the easterly side of Valencia Street adjacent to the street vacation area, and reducing the official right-of-way width of this portion of McCoppin Street; approving an interdepartmental transfer of the vacated area from the Department of Public Works to the Division of Real Estate; making findings under the California Environmental Quality Act and adopting findings that the vacation and public right-of-way changes are consistent with the General Plan, and the eight priority policies of City Planning Code, Section 101.1; and authorizing actions in furtherance of this Ordinance.

Ordinance No. 197-14

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

140283 [Planning Code - Rezoning McCoppin Plaza to Public Use/Open Space Zoning]

Sponsors: Kim; Wiener

Ordinance amending the Planning Code to rezone McCoppin Street from Valencia Street to its terminus on Market Street from NCT-3/85-X and 40- X (Moderate-Scale Neighborhood Commercial Transit District) to P (Public Use)/OS (Open Space) as part of the establishment of McCoppin Hub Plaza; and making findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code Section 101.1.

Ordinance No. 198-14

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140725 [Underground District - Ringold Alley]

Sponsor: Kim

Ordinance creating Underground District No. 360 on Ringold Alley from 8th Street to 9th Street; and making environmental findings.

Ordinance No. 196-14

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140776 [Police, Business and Tax Regulations Codes - Regulating Mechanical Amusement Devices and Arcades]

Sponsors: Breed; Wiener and Kim

Ordinance amending the Police Code to reduce restrictions on the location of, and lessen permitting requirements for, mechanical amusement devices and arcades, and remove obsolete Code provisions; amending the Business and Tax Regulations Code to clarify the appeal period for appealing mechanical amusement device permits and other Entertainment Commission permits to the Board of Appeals; and making environmental findings.

Ordinance No. 195-14

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

140595 [Professional Services Agreement - Waiving Competitive Solicitation Requirement to Procure Specialized Environmental Services - East Harbor Marina Sediment Remediation and Facility Renovation Project - Leidos, Inc. - Not to Exceed $1,970,000]

Ordinance waiving the competitive solicitation requirement under Administrative Code, Section 6.40, and authorizing the General Manager of the Recreation and Parks Department to enter into a professional services agreement with Leidos, Inc., in an amount not to exceed $1,970,000 for the purpose of performing specialized environmental services for the San Francisco East Harbor Marina Sediment Remediation and Facility Renovation Project, to commence following Board approval. (Recreation and Park Department)
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140873 [Setting Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2014-2015]

Sponsor: Mayor

Ordinance levying property taxes at a combined rate of $1.1743 on each $100 valuation of taxable property for the City and County of San Francisco, San Francisco Unified School District, San Francisco Community College District, Bay Area Rapid Transit District, and Bay Area Air Quality Management District and establishing a pass-through rate of $0.0880 per $100 of assessed value for residential tenants pursuant to Administrative Code, Chapter 37, for the fiscal year ending June 30, 2015.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140320 [Accept Gift - Automated External Defibrillators - Approximately $15,000]

Sponsors: Kim; Breed and Chiu

Resolution authorizing the Police Department to accept a gift of 10 Automated External Defibrillators from Mr. John Konstin, valued at approximately $15,000 for the use of the Tenderloin District Station.

Supervisor Chiu requested to be added as a co-sponsor.

Resolution No. 326-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140559 [Accept and Expend Grant - Summer Jobs Connect Program - $478,000]

Sponsor: Mayor

Resolution retroactively authorizing the Department of Children, Youth, and Their Families to accept and expend grant funding in the amount of $478,000 from the Cities for Financial Empowerment Fund to support 200 youth employment opportunities and research financial products, services, and education for youth participating in summer employment opportunities for the period of March 1, 2014, through February 28, 2015.

Resolution No. 327-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140742 [Airport Professional Services Agreement Modification - Bombardier Transportation (Holdings) USA, Inc.- Operation and Maintenance Services - AirTrain System - Not to Exceed $100,543,834]

Resolution approving Modification No. 2 to Professional Services Agreement, Airport Contract No. 8838, to provide operation and maintenance services for the AirTrain System, between Bombardier Transportation (Holdings) USA, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, to cover the replacement of obsolete AirTrain equipment and to provide a contingency fund for the replacement of any additional equipment over the three-year contract term of March 1, 2014, through February 28, 2017, in an amount not to exceed $100,543,834 pursuant to Charter, Section 9.118(b). (Airport Commission)
(Fiscal Impact)

Resolution No. 328-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140747 [Contract Amendment - Toyon Associates, Inc. - Not to Exceed $4,996,617]

Resolution approving an amendment to the contract between the Department of Public Health and the Toyon Associates, Inc., to provide regulatory reporting/reimbursement and revenue optimization services, for an amount not to exceed $4,996,617 for an additional three and one-half years, for the term April 1, 2014, through March 31, 2018. (Public Health Department)
(Fiscal Impact)

Resolution No. 329-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140778 [Accept and Expend Grant - Friends of San Francisco Public Library - Annual Grant Award, FY2014-2015 - Up to $720,000]

Sponsor: Mayor

Resolution retroactively authorizing the San Francisco Public Library to accept and expend a grant in the amount of up to $720,000 of in-kind gifts, services, and cash monies from the Friends of the San Francisco Public Library for direct support for a variety of public programs and services in FY2014-2015.

Resolution No. 330-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140810 [Exchange Agreement - San Francisco Unified School District and Mayor's Office of Housing and Community Development - 1950 Mission Street, 555 Franklin, and 380 Fulton Streets]

Sponsors: Mayor; Kim, Campos and Mar

Resolution authorizing the exchange of City property located near the intersection of McAllister Street and Ash Alley (555 Franklin and 380 Fulton Streets) under the jurisdiction of the Mayor's Office of Housing and Community Development and an additional fee of $2,675,000 for real property owned by the San Francisco Unified School District located at 1950 Mission Street, San Francisco; adopting findings under the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the City's General Plan, and the eight priority policies of Planning Code, Section 101.1.
(Fiscal Impact)

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 331-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140882 [Contract - Siemens Industry, Inc. - Procurement of New Light Rail Vehicles - Not to Exceed $1,192,651,577]

Sponsors: Breed; Wiener, Chiu, Mar, Tang, Cohen and Avalos

Resolution approving a contract with Siemens Industry, Inc., to procure up to 260 light rail vehicles, associated services, spare parts, special tools, training, and documentation in an amount not to exceed $1,192,651,577 for a term not to exceed 15 years, to commence following Board approval; and making environmental findings.
(Fiscal Impact)

Resolution No. 332-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140885 [Accept and Expend Grant - Castro/Upper Market Community Benefit District - Castro Streetscape Improvement Project - $121,860]

Sponsor: Wiener

Resolution retroactively authorizing the Department of Public Works to accept and expend a grant of up to $121,860 from the Castro/Upper Market Community Benefit District for the Castro Streetscape Improvement Project for the period of March 10, 2014, through November 10, 2014.

Resolution No. 333-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Mar, seconded by Supervisor Cohen, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Judge Julie Tang of the Superior Court of California in recognition of 25 years of disquinshed service upon her retirement. Supervisors Chiu, Yee, Tang, and Kim shared in the commendation.

Supervisor Cohen introduced, welcomed, and presented a Certificate of Honor to the Equity on Young Black Women's Health Collaborative Group in recognition of their work and accomplishments on black infant health and mortality.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

140836 [Public Hearing - Establishing the Community Facilities District (CFD) 2014-1 (Transbay Transit Center)]

Public hearing of persons interested in or objecting to the proposed Resolution of Formation for Special Tax District No. 2014-1, establishing the Transbay Transit CFD and determining other matters in connection therewith; Resolution determining necessity to incur bonded indebtedness for the CFD; and Resolution calling for a special election in the City and County of San Francisco to submit the issues of the special tax, the incurring of bonded indebtedness and the establishment of the appropriations limit to the qualified electors of the CFD. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File Nos. 140814, 140815, and 140816. Adam Varat (Planning Department), Nadia Sesay, Director, Mayor's Office of Public Finance, Scott Boule (Transbay Joint Powers Authority), and Ken Rich (Office of Economic and Workforce Development) provided an overview of the proposed district and responded to questions raised throughout the discussion. Jane Morrison; Bruce Agid; Dana Levine; Male Speaker; Bob Feinbaum; Tom Radulavich; Steve Hargrove; Peter Strauss; Hannah Frisbee; Madeleine Savit; Thea Selby; Michael Theriault; Joel Kappal; Anna LaForte; Alice Rogers; expressed various concerns and spoke in support of the district. Francisco Da Costa; expressed various concerns and spoke in opposition to the district. Male Speaker: Ken Cleveland; Jim Lazarus; Chris Crowdahl; expressed various concerns and spoke neither in support nor opposition to the district. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

Supervisor Kim, seconded by Supervisor Farrell, moved that this Hearing be CONTINUED open to September 23, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

The President CONTINUED the Hearing open to September 23, 2014, at 3:00 p.m.

Committee of the Whole Adjourn and Report

140814 [Resolution of Formation - City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center)]

Sponsor: Mayor

Resolution of formation of the City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) and determining other matters in connection therewith.

Supervisor Kim, seconded by Supervisor Wiener, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Kim, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED AS AMENDED to September 23, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140815 [Determining Necessity to Incur Bonded Indebtedness - City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center)]

Sponsor: Mayor

Resolution determining necessity to incur bonded indebtedness for City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) and determining other matters therewith.

Supervisor Kim, seconded by Supervisor Wiener, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Kim, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED AS AMENDED to September 23, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140816 [Special Election for the Community Facilities District No. 2014-1 (Transbay Transit Center)]

Sponsor: Mayor

Resolution calling for a special election in the City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center).

Supervisor Kim, seconded by Supervisor Wiener, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Kim, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED AS AMENDED to September 23, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Privilege of the floor was unanimously granted to the mother of Ashanti Dudley who made a statement and spoke on the scholarship fund set up in her son's honor.

PUBLIC COMMENT

Reuben Goodman; invited persons to the Walk to End Alzheimer's on Saturday, September 20, 2014, at 10:00 a.m. at Mission Creek Park.
Peter Warfield; expressed concerns relating to the SF Public Library's war on the homeless.
Male Speaker; expressed various religious concerns.
Shivana Jorawar; spoke in support of the resolution opposing "sex-selective abortion bans."
Jennifer Chou; spoke in support of the resolution opposing "sex-selective abortion bans."
Linda Yang; spoke in support of the resolution opposing "sex-selective abortion bans."
Jenny Lam; spoke in support of the resolution opposing "sex-selective abortion bans."
Noel Leon; spoke in support of the resolution opposing "sex-selective abortion bans."
Lily Benedict; spoke in support of the resolution opposing "sex-selective abortion bans."
Ashley Morris; spoke in support of the resolution opposing "sex-selective abortion bans."
Charlie Goss; spoke in opposition to the short term renters legislation.
Tom Gilberty; expressed various concerns relating to noise pollution.
Dave Mathis; expressed concerns regarding the climate crisis and the economy.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation

140888 [Closed Session - Anticipated Litigation - Buffer Zone at Reproductive Health Care Facilities]

Sponsor: Campos

Motion that the Board of Supervisors convene in closed session on September 9, 2014, for the purpose of conferring with, or receiving advice from the City Attorney regarding anticipated litigation as defendant relating to Police Code, Article 43, prohibiting entering or remaining in buffer zones at reproductive healthcare facilities, in light of McCullen v. Coakley (2014) 573 U.S. ___; pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(2), which permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the anticipated litigation.

The President inquired as to whether any member of the public wished to address the Board regarding the proposed motion to table the closed session. There were no speakers. The President declared public comment closed.

Supervisor Campos, seconded by Supervisor Cohen, moved the Closed Session be TABLED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation

140938 [Closed Session - Anticipated Litigation - Establishing Community Facilities District 2014-1 (Transbay Transit Center)]

Sponsor: Chiu

Motion that the Board of Supervisors convene in closed session on September 9, 2014, for the purpose of conferring with or receiving advice from the City Attorney regarding anticipated litigation relating to the potential formation of Special Tax District 2014-1, also known as the Transbay Transit Community Facilities District; in which the City is a potential defendant; pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(2), which permits this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in anticipated litigation.

The President inquired as to whether any member of the public wished to address the Board regarding convening in closed session. Tom Gilberty; expressed concerns on open information and government. There were no other speakers. The President declared public comment closed.

Motion No. M14-153

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

CONVENED IN CLOSED SESSION

The Board recessed at the hour of 5:31 p.m. to convene in closed session pursuant to the above motion. The following Supervisors were noted present: Supervisors Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Persons in attendance: Jon Givner, James Emery, Jesse Smith, and Mark Blake (Office of the City Attorney); Adam Varat (Planning Department); Nadia Sesay, Director (Mayor's Office of Public Finance); Ken Rich and Lisa Pagan (Office of Economic and Workforce Development); Courtney Cash (Mayor's Office); Chris Lynch (Jones Hall); and Rick Caldeira, Legislative Deputy Director, and Alisa Somera (Office of the Clerk of the Board). Matter was heard in closed session, no action was taken, and the hearing was filed.

RECONVENING OF THE BOARD

The Board reconvened at the hour of 6:05 p.m. The following Supervisors were noted present: Supervisors Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interests of the public that the Board elect at this time not to disclose its closed session deliberations.

Supervisor Kim, seconded by Supervisor Breed, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Kim was noted absent at 5:12 p.m., and noted present at 5:25 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

140923 [Intention to Develop Competitive Grant Program to Fund Community Recidivism and Crime Reduction Services]

Sponsors: Cohen; Chiu

Resolution affirming the Board of Supervisors' intention to develop, in collaboration with the Community Corrections Partnership, a competitive grant program to fund community recidivism and crime reduction services with funds awarded to the City and County of San Francisco by the California Board of State and Community Corrections.

Resolution No. 334-14

ADOPTED

140929 [Supporting Bans on Nontherapeutic Uses of Antibiotics in Livestock Production]

Sponsor: Avalos

Resolution supporting State and national bans on nontherapeutic uses of antibiotics in livestock production.

Resolution No. 335-14

ADOPTED

140930 [Urging Enactment of a Revenue-Neutral Carbon Tax]

Sponsors: Avalos; Breed, Mar and Yee

Resolution urging the United States Congress to enact a revenue-neutral carbon tax.

Supervisors Breed, Mar, and Yee requested to be added as co-sponsors.

Resolution No. 336-14

ADOPTED

140912 [Final Map 7832 - 75 Lily Street]

Motion approving Final Map 7832, a five residential unit condominium project, located at 75 Lily Street, being a subdivision of Assessor's Block No. 0837, Lot No. 009, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-151

APPROVED

140913 [Final Map 7820 - 124-5th Avenue]

Motion approving Final Map 7820, a six residential unit condominium project, located at 124-5th Avenue, being a subdivision of Assessor's Block No. 1364, Lot No. 034, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-152

APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee
Absent: 1 - Kim

Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Cohen requested that File No. 140933 be severed so that it may be considered separately.

140933 [Infant Mortality Awareness Month - September]

Sponsor: Cohen

Resolution declaring September "Infant Mortality Awareness Month" in the City and County of San Francisco.

Supervisor Cohen, seconded by Supervisor Tang, moved to AMEND the Resolution on Page 1, Line 11, by changing 'week' to 'year'. The motion carried by the following vote:
Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee
Absent: 1 - Kim

ADOPTED AS AMENDED by the following vote:
Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee
Absent: 1 - Kim

Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous votes. The motion carried by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Cohen, seconded by Supervisor Tang, moved that this Resolution be AMENDED on Page 1, Line 11, by changing 'week' to 'year'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Resolution No. 337-14

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Farrell requested that File No. 140934 be severed so that it may be considered separately.

140934 [Apply for Grant - State-County Assessors' Partnership Agreement Program - Not to Exceed $530,000 Annually Plus Required Matching Funds]

Sponsor: Farrell

Resolution authorizing the Office of the Assessor-Recorder to apply for the State-County Assessors' Partnership Agreement Program to improve the administration of the county property tax rolls and related essential duties for an amount not to exceed $530,000 annually plus required dollar-for-dollar matching funds for FYs 2014-2015 through 2016-2017 to commence no later than September 15, 2014, if approved.

ADOPTED by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Resolution No. 325-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Wiener, seconded by Supervisor Campos, moved ADOPTION of the serious injury finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Wiener, seconded by Supervisor Campos, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140948 [Support for San Francisco to Host AIDS 2018]

Sponsors: Wiener; Campos, Chiu and Cohen

Resolution supporting San Francisco's bid to host the 22nd International AIDS Conference in 2018.

Resolution No. 338-14

Supervisor Wiener, seconded by Supervisor Campos, moved that this Resolution be ADOPTED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Breed, seconded by Supervisor Avalos, moved ADOPTION of the serious injury finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Breed, seconded by Supervisor Avalos, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140949 [Denouncing the 49ers for Allowing Ray McDonald to Continue Playing While Facing Felony Domestic Violence Charges]

Sponsor: Breed

Resolution denouncing the 49ers franchise for allowing Ray McDonald to continue playing during an active investigation for felony domestic violence charges and urging both the 49ers and the NFL to strengthen their policies against domestic violence.

Resolution No. 339-14

Supervisor Breed, seconded by Supervisor Avalos, moved that this Resolution be ADOPTED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

140950 [Administrative Code - Passenger Fleet Reduction and Car Sharing Services Ordinance and Master Agreements for Procurement]

Sponsors: Farrell; Avalos and Kim

Ordinance amending the Administrative Code to mandate reduction of the nonessential City vehicle fleet, implement modern technology-based systems in measuring utilization of the fleet and vehicle access, and allow the City Administrator to document the existence of and restrict assignments of underutilized vehicles; require that officers and employees seek to use car sharing services first instead of City owned vehicles; authorize the City Administrator to enter into master agreements with vendors for the procurement of car sharing services; and making environmental findings.

09/09/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 10/9/2014.

140951 [Zoning - Interim Moratorium on Production, Distribution, and Repair Conversion in the Proposed Central South of Market Plan Area]

Sponsors: Kim; Avalos, Campos, Chiu, Mar and Cohen

Urgency Ordinance approving an interim zoning moratorium to prohibit the conversion or replacement of Production, Distribution, and Repair uses in the proposed Central South of Market Plan Area bounded by Market Street on the north, Townsend Street on the south, 2nd Street on the east, and 6th Street on the west, for 45 days; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the eight priority policies of Planning Code, Section 101.1.

09/09/14; ASSIGNED to Land Use and Economic Development Committee.

140952 [Administrative Code - Better Streets Policy - Including the National Association of City Transportation Officials Urban Design Guides]

Sponsor: Wiener

Ordinance amending the Administrative Code to include the National Association of City Transportation Officials Urban Street Design Guide and Urban Bikeway Design Guide as an additional reference in City transportation planning and design projects and programs.

09/09/14; ASSIGNED to Land Use and Economic Development Committee.

140953 [Environment Code - Revising the Urban Forestry Council Composition and Meeting Requirements]

Sponsor: Wiener

Ordinance amending the Environment Code to revise the composition and meeting schedule requirements for the Urban Forestry Council.

09/09/14; ASSIGNED to Rules Committee.

140954 [Planning Code - Exceptions from Dwelling Unit Density Limits and from Other Specified Code Requirements]

Sponsors: Wiener; Breed

Ordinance amending the Planning Code to permit exceptions from dwelling unit density limits and other requirements of the Code when adding Dwelling Units to existing buildings undergoing seismic retrofitting; deleting the requirement that a new In-Law Unit constructed in and near the Castro Street Neighborhood Commercial District be limited to 750 square feet; correcting outdated cross-references and Code language; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

09/09/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/9/2014.

Resolutions

140939 [Board Response - Civil Grand Jury - The Port of San Francisco, Caught Between Public Trust and Private Dollars]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2013-2014 Civil Grand Jury Report, entitled "The Port of San Francisco, Caught Between Public Trust and Private Dollars;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

06/19/14; REFERRED TO DEPARTMENT.

08/12/14; RESPONSE RECEIVED.

08/15/14; RESPONSE RECEIVED.

08/15/14; RESPONSE RECEIVED.

08/15/14; RESPONSE RECEIVED.

08/19/14; RESPONSE RECEIVED.

08/27/14; RESPONSE RECEIVED.

09/09/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

140940 **[Board Response - Civil Grand Jury - Rising Sea Levels...At Our Doorstep]**
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2013-2014 Civil Grand Jury Report, entitled "Rising Sea Levels...At Our Doorstep;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

06/25/14; REFERRED TO DEPARTMENT.

08/22/14; RESPONSE RECEIVED.

08/22/14; RESPONSE RECEIVED.

08/22/14; RESPONSE RECEIVED.

08/22/14; RESPONSE RECEIVED.

08/22/14; RESPONSE RECEIVED.

08/22/14; RESPONSE RECEIVED.

08/22/14; RESPONSE RECEIVED.

08/22/14; RESPONSE RECEIVED.

08/22/14; RESPONSE RECEIVED.

08/22/14; RESPONSE RECEIVED.

09/09/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

140941 **[Board Response - Civil Grand Jury - Ethics in the City: Promise, Practice or Pretense]**
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2013-2014 Civil Grand Jury Report, entitled "Ethics in the City: Promise, Practice or Pretense;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

06/26/14; REFERRED TO DEPARTMENT.

08/21/14; RESPONSE RECEIVED.

08/25/14; RESPONSE RECEIVED.

08/25/14; RESPONSE RECEIVED.

08/25/14; RESPONSE RECEIVED.

08/28/14; RESPONSE RECEIVED.

09/09/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

140955 [Increase of Wastewater Enterprise Commercial Paper Program - Not to Exceed $500,000,000]

Sponsor: Mayor

Resolution authorizing an increase of the principal amount of the Wastewater Enterprise's Commercial Paper Program by $200,000,000 from a principal amount not to exceed $300,000,000 to a principal amount not to exceed $500,000,000 to be issued from time to time by the Public Utilities Commission to finance various capital projects benefitting the Wastewater Enterprise, each pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith.

(Fiscal Impact)

09/09/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140956 [Recognizing San Francisco's Camp Mather and Commending Those Who Helped Save it from the Rim Fire of 2013]

Sponsors: Avalos; Tang, Kim and Farrell

Resolution recognizing the 90th Anniversary of San Francisco's Camp Mather, and commending those who helped save Camp Mather, located in the Stanislaus National Forest, from the devastating Rim Fire of August 17, 2013, through October 25, 2013.

09/09/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140957 [Urging Pacific Gas and Electric Company to Grant the Police Department to Install Gunshot Tracking Technology on Their Telephone and Power Poles Throughout San Francisco]

Sponsors: Campos; Kim, Breed and Mar

Resolution urging Pacific Gas and Electric Company (PG&E) to grant the Police Department the ability to install gunshot tracking technology on PG&E telephone and power poles throughout San Francisco without charge for the purpose of furthering community policing and curbing gun violence.

09/09/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

140958 [Supporting California Proposition 47 - The Safe Neighborhoods and Schools Initiative]

Sponsor: Chiu

Resolution supporting California Proposition 47 to reduce the penalties for certain non-serious and non-violent property and drug crimes, save the State money, and invest in crime prevention programs.

09/09/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140959 [Opposing Sex-Selective Abortion Bans]

Sponsors: Chiu; Kim, Tang, Breed, Cohen and Mar

Resolution affirming San Francisco's opposition to "Sex-Selective Abortion Bans" that perpetuate racial stereotypes.

09/09/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

140960 [Cost of Living Adjustment to the Contract for Budget and Legislative Analyst Services - FYs 2014-2015 and 2015-2016]

Motion to enact a 3.00 percent Cost of Living Adjustment (COLA) to the current $2,000,000 contract for Budget and Legislative Analyst Services, to be effectuated no earlier than October 1, 2014, resulting in a 2.25 percent, or $45,000, increase to the contract in FY2014-2015 and directing the Clerk of the Board to take all necessary administrative action to amend the contract accordingly and further directing the Clerk of the Board to include the annualized cost of the 3.00 percent COLA in the Department of the Board of Supervisors' FY2015-2016 proposed budget. (Clerk of the Board)

09/09/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140961 [Reappointment, Peninsula Corridor Joint Powers Board - Supervisor Malia Cohen]

Motion reappointing Supervisor Malia Cohen to the Peninsula Corridor Joint Powers Board, for the unexpired portion of a two-year term ending June 30, 2016. (Clerk of the Board)

09/09/14; RECEIVED AND ASSIGNED to Rules Committee.

Requests for Hearing

140962 [Hearing - City's Policies for Planning for New Student Enrollment Due to Increased Residential Development]

Sponsor: Kim

Hearing requesting presentations from the San Francisco Unified School District, Planning Department, and Controller's Office on residential development pipeline projections, enrollment projections, and related educational and school infrastructure needed to accommodate new student enrollment due to increased residential development.

09/09/14; RECEIVED AND ASSIGNED to City and School District Select Committee.

140963 [Hearing - San Francisco's Pre-Kindergarten and Transitional Kindergarten Programs]

Sponsor: Kim

Hearing requesting presentations from the San Francisco Unified School District, Department of Children, Youth, and Their Families, Controller's Office, and the Mayor's Office of Education on the current statistics and data of the City and County of San Francisco's pre-kindergarten and transitional kindergarten programs, including the demographics of students served in these programs, an analysis of the achievement gap between students who attended pre-kindergarten and those who did not, and information on how to achieve a universal pre-kindergarten program where every pre-kindergarten student has access to early childhood education.

09/09/14; RECEIVED AND ASSIGNED to City and School District Select Committee.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCE

140909 [Administrative Code - Catastrophic Illness Programs]

Ordinance amending the Administrative Code to authorize the Department of Public Health to designate another City department to carry out various functions in the administration of the Catastrophic Illness Program for City employees and the Catastrophic Illness Program for family members of City employees. (Public Health Department)

08/29/14; RECEIVED FROM DEPARTMENT.

09/09/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/9/2014.

PROPOSED RESOLUTIONS

140907 [Annual Performance Contract Renewal - California Department of Health Care Services - Mental Health Services]

Resolution retroactively approving Performance Contract No. 14-90344, between Community Behavioral Health Services and the Department of Health Care Services, incorporating the Mental Health Services Act, Projects for Assistance in Transition from Homelessness, the Mental Health Plan, and Community Mental Health Services Grant for the period of July 1, 2014, through June 30, 2015; and authorizing the Department of Public Health, Community Behavioral Health Services Director, to sign said agreement and any and all amendments in the future. (Public Health Department)
(Fiscal Impact)

08/26/14; RECEIVED FROM DEPARTMENT.

09/09/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140908 [Street Encroachment - 157-24th Avenue]

Resolution granting revocable permission to Kristina Baker to occupy a portion of the public right-of-way to construct and maintain a portion of a new two car garage, new terraced concrete retaining walls, reconstruct existing public concrete stairway, and install and maintain additional landscaping within the existing sloped and landscaped portion of the 24th Avenue public right-of-way, to access and provide off-street parking for the property at 157-24th Avenue (Assessor's Block No. 1334, Lot No. 006) and making findings of consistency with the eight priority policies of Planning Code, Section 101.1. (Public Works)

08/28/14; RECEIVED FROM DEPARTMENT.

09/09/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

140910 **[Lease Renewal - 617 Mission Street - Conner Children's Trust No. 2 - Child Support Services - $1,453,414.56 Total Rent in the First Year]**

Resolution authorizing the exercise of an option to extend the term for five years of a lease of 33,998 sq. ft. at 617 Mission Street/109 New Montgomery Street with Edward J. Connor and Douglas G. Moore, Co-Trustees under the Connor Children's Trust No. 2, for the Department of Child Support Services at $121,117.88 monthly for $1,453,414.56 total rent in the first year for the period of January 1, 2015, through December 31, 2019. (Real Estate Department)
(Fiscal Impact)

08/29/14; RECEIVED FROM DEPARTMENT.

09/09/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140911 **[Operating Budget Amendment - Municipal Transportation Agency - Free Muni for Special Education Services Students - FY2015-2016]**

Resolution approving an amendment to the San Francisco Municipal Transportation Agency's FY2015-2016 Operating Budget to provide free Muni service to 19 to 22 year-old students enrolled in the San Francisco Unified School District's Special Education Services Program.

08/29/14; RECEIVED FROM DEPARTMENT.

09/09/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriams

Gwing Der - Board President Chiu, Supervisors Mar and Wiener
Lillian Lincoln Howell - Board President Chiu
Rashawn Williams - Supervisor Campos
Arturo Galster - Supervisors Campos and Wiener
Ashanti Dudley - Supervisor Kim
James Rich - Supervisors Avalos and Mar

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:24 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 21, 2014.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, September 16, 2014 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

APR - 9 2015

SAN FRANCISCO
PUBLIC LIBRARY

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang, Chiu	2nd and 4th Thursday 11:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Volume 109 Number 30

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

140964 [Formal Policy Discussions - September 16, 2014]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible question submitted from the Supervisor representing District 10. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. I have been working on acquiring a property at 66 Raymond Avenue to use as an intergenerational space for community programming and services in the Visitacion Valley community. This acquisition has been complicated due to the nature of the ownership and history of the property. Throughout this process, you have expressed support for this acquisition. What is your vision for this space and how can you help move this acquisition forward? (Supervisor Cohen, District 10)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

140595 [Professional Services Agreement - Waiving Competitive Solicitation Requirement to Procure Specialized Environmental Services - East Harbor Marina Sediment Remediation and Facility Renovation Project - Leidos, Inc. - Not to Exceed $1,970,000]

Ordinance waiving the competitive solicitation requirement under Administrative Code, Section 6.40, and authorizing the General Manager of the Recreation and Parks Department to enter into a professional services agreement with Leidos, Inc., in an amount not to exceed $1,970,000 for the purpose of performing specialized environmental services for the San Francisco East Harbor Marina Sediment Remediation and Facility Renovation Project, to commence following Board approval. (Recreation and Park Department)
(Fiscal Impact)

Ordinance No. 199-14

FINALLY PASSED

140873 [Setting Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2014-2015]

Sponsor: Mayor

Ordinance levying property taxes at a combined rate of $1.1743 on each $100 valuation of taxable property for the City and County of San Francisco, San Francisco Unified School District, San Francisco Community College District, Bay Area Rapid Transit District, and Bay Area Air Quality Management District and establishing a pass-through rate of $0.0880 per $100 of assessed value for residential tenants pursuant to Administrative Code, Chapter 37, for the fiscal year ending June 30, 2015.
(Fiscal Impact)

Ordinance No. 200-14

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

There were no items.

NEW BUSINESS

Recommendations of the Budget and Finance Committee

140918 [Appropriation - Legal Services for Unaccompanied Children and Families - Mayor's Office of Housing - $2,127,600 - FYs 2014-2015 and 2015-2016]

Sponsors: Campos; Avalos, Yee and Mar

Ordinance appropriating $2,127,600 from the General Fund Reserve to the Mayor's Office of Housing, $1,063,800 in FY2014-2015 and $1,063,800 in FY2015-2016, for legal services for unaccompanied children and families on the San Francisco Immigration Court's expedited removal docket.
(Fiscal Impact)

Supervisor Mar requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140754 [Sublease and Property Management Agreement - John Stewart Company - Treasure and Yerba Buena Islands Market Rate Rental Housing - $632,806 Yearly Base Rent]

Resolution approving a Sublease and Property Management Agreement for Treasure and Yerba Buena Islands market rate rental housing between the Treasure Island Development Authority and the John Stewart Company, with a yearly base rent of $632,806 for a seven-year term, to commence following Board approval, with a three-year option to extend. (Treasure Island Development Authority)

Resolution No. 340-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140921 [Revolving Fund Agreement - California Victim Compensation and Government Claims Board - Burial or Emergency Relocation of Homicide Victims - $75,000]

Sponsor: Breed

Resolution retroactively authorizing the Office of the District Attorney to renew its current agreement with the California Victim Compensation and Government Claims Board, an agent of the State of California, for a revolving fund in the amount of $75,000 to be used to pay for verified funeral/burial, relocation, crime scene clean-up, and other emergency loss expenses for eligible homicide victims for the period of July 1, 2014, through June 30, 2017.

Resolution No. 341-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140922 [Accept In-Kind Gift - Vera Institute of Justice - Prosecution and Racial Justice Program Technical Assistance - $408,654]

Sponsor: Breed

Resolution retroactively authorizing the Office of the District Attorney to accept an in-kind gift of Prosecution and Racial Justice Program technical assistance valued at $408,654 from the Vera Institute of Justice for the grant period of January 1, 2014, through June 30, 2015.

Resolution No. 342-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140931 [Accept and Expend Grant - Vera Institute of Justice - Preventing Crime and Victimization - $228,283]

Sponsor: Chiu

Resolution retroactively authorizing the Office of the District Attorney to accept and expend a technical assistance grant valued at $228,283 from the Vera Institute of Justice, funded by the Foundation to Promote Open Society, for the grant period of June 1, 2014, through May 31, 2016, to enhance the Office's Community Safety and Performance Strategy, to prevent crime and victimization by improving operational performance through research and data-driven approaches to prosecution.

Resolution No. 343-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

140120 [Building Code - Earthquake Performance Evaluation of Private School Structures]

Sponsors: Mayor; Breed, Campos, Chiu, Farrell, Mar, Tang, Wiener and Yee

Ordinance amending the Building Code to 1) require that existing private elementary and secondary schools obtain an evaluation by a licensed structural engineer for performance during a future earthquake, 2) assess a fee for Building Department review and related evaluation processing, 3) exempt certain buildings from the evaluation requirements, 4) provide that buildings where voluntary seismic retrofit work is done to specified standards shall not be identified as a seismic hazard under later-enacted local building standards, and 5) require that a building changing to a school occupancy classification comply with the evaluation requirements; making environmental findings and findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Campos, seconded by Supervisor Avalos, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Campos introduced, welcomed, and presented Certificates of Honor to William Garcia, Walter Garcia, Bryan Suchi, Edwin Suchi, Natali Ulloa, Fatima Ulloa, Axa Gutierrez Ramos, Luis Antonio Cornejo Giron, Marilin Corina De Leon Salazar, Sthefany Paola Villalobos Moreno, and Melquin Ivan Cabrera Reyes in recognition of their bravery in telling their stories at the September 10, 2014, Budget and Finance Committee Meeting.

COMMITTEE REPORTS

Recommendations of the Government Audit and Oversight Committee

140939 [Board Response - Civil Grand Jury - The Port of San Francisco, Caught Between Public Trust and Private Dollars]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2013-2014 Civil Grand Jury Report, entitled "The Port of San Francisco, Caught Between Public Trust and Private Dollars;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

Resolution No. 344-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140940 [Board Response - Civil Grand Jury - Rising Sea Levels...At Our Doorstep]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2013-2014 Civil Grand Jury Report, entitled "Rising Sea Levels...At Our Doorstep;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

Resolution No. 345-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140941 **[Board Response - Civil Grand Jury - Ethics in the City: Promise, Practice or Pretense]**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2013-2014 Civil Grand Jury Report, entitled "Ethics in the City: Promise, Practice or Pretense;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

Resolution No. 346-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Supervisor Breed was noted absent at 3:02 p.m., and noted present at 3:17 p.m.
Supervisor Campos was noted absent at 3:40 p.m., and noted present at 3:49 p.m.

PUBLIC COMMENT

Reuben Goodman; expressed various concerns relating to evictions for the mental health community.
Christopher Dahl; expressed various concerns relating to personal transit.
Male Speaker; expressed various concerns relating to domestic violence.
Male Speaker; expressed various concerns.
Antonio Gonzales; expressed various concerns relating to mascots, institutional racism, and human rights in sports.
Bonnie Kwon; spoke in support of proposed legislation relating to ban against sex-selection abortions.
Avani Mody; spoke in support of proposed legislation relating to ban against sex-selection abortions.
Maria Nakae; spoke in support of proposed legislation relating to ban against sex-selection abortions.
Chelsea Gelbart; spoke in support of proposed legislation relating to ban against sex-selection abortions.
Male Speaker; expressed various religious concerns.
Tom Gilberty; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

140958 [Supporting California Proposition 47 - The Safe Neighborhoods and Schools Initiative]

Sponsor: Chiu

Resolution supporting California Proposition 47 to reduce the penalties for certain non-serious and non-violent property and drug crimes, save the State money, and invest in crime prevention programs.

Resolution No. 348-14

ADOPTED

140960 [Cost of Living Adjustment to the Contract for Budget and Legislative Analyst Services - FYs 2014-2015 and 2015-2016]

Motion to enact a 3.00 percent Cost of Living Adjustment (COLA) to the current $2,000,000 contract for Budget and Legislative Analyst Services, to be effectuated no earlier than October 1, 2014, resulting in a 2.25 percent, or $45,000, increase to the contract in FY2014-2015 and directing the Clerk of the Board to take all necessary administrative action to amend the contract accordingly and further directing the Clerk of the Board to include the annualized cost of the 3.00 percent COLA in the Department of the Board of Supervisors' FY2015-2016 proposed budget. (Clerk of the Board)

Motion No. M14-154

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Avalos requested that File No. 140956 be severed so that it may be considered separately.

140956 [Recognizing San Francisco's Camp Mather and Commending Those Who Helped Save it from the Rim Fire of 2013]

Sponsors: Avalos; Tang, Kim and Farrell

Resolution recognizing the 90th Anniversary of San Francisco's Camp Mather, and commending those who helped save Camp Mather, located in the Stanislaus National Forest, from the devastating Rim Fire of August 17, 2013, through October 25, 2013.

Supervisors Tang, Kim, and Farrell requested to be added as co-sponsors.

Supervisor Avalos, seconded by Supervisor Campos, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Resolution No. 347-14

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Chiu requested that File No. 140959 be severed so that it may be considered separately.

140959 [Opposing Sex-Selective Abortion Bans]
Sponsors: Chiu; Kim, Tang, Breed, Cohen and Mar
Resolution affirming San Francisco's opposition to "Sex-Selective Abortion Bans" that perpetuate racial stereotypes.

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 349-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

140724 [Planning Code - Nighttime Entertainment and Uses Greater than 25,000 Square Feet in Western SoMa]
Sponsors: Kim; Campos and Wiener
Ordinance amending the Planning Code to authorize Elementary and Secondary Schools and Child Care uses to exceed 25,000 square feet in the Regional Commercial District, authorize a Nighttime Entertainment use in the Western SoMa Mixed Use-Office Zoning District within 200 feet of any property within a Residential Enclave or Residential Enclave-Mixed District where a Nighttime Entertainment use legally operated within five years prior to an application to re-establish the use, allow Nighttime Entertainment as a permitted use within the Western SoMa Mixed Use-Office Zoning District; and affirming the Planning Department's California Environmental Quality Act determination and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

06/24/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/24/2014.

07/15/14; REFERRED TO DEPARTMENT.

07/25/14; RESPONSE RECEIVED.

09/16/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

140874 [Administrative, Subdivision Codes - Tenant Buyout Agreements]

Sponsors: Campos; Avalos, Kim and Mar

Ordinance amending the Administrative Code to require landlords to provide tenants with a disclosure of the tenants' rights before the landlord commences buyout negotiations; to require landlords to file a form with the Rent Board indicating the address of the unit that may become the subject of buyout negotiations; to require all buyout agreements to be in writing and to include certain statements about the tenant's rights; to allow tenants to rescind buyout agreements for up to 45 days after the agreements are fully executed; to require landlords to file a copy of buyout agreements with the Rent Board and to pay a fee to the Rent Board; to require the Rent Board to create a publicly available, searchable database of buyout agreements; to require the Rent Board to provide an annual report to the Board of Supervisors regarding tenant buyouts; to authorize tenants to bring civil actions for actual damages and civil penalties against landlords who fail to provide the required disclosures about the tenants' rights; and to authorize certain non-profits to bring civil actions for a landlord's failure to file a buyout agreement with the Rent Board; and amending the Subdivision Code to prohibit buildings from entering the condominium conversion lottery if the owners of the building have entered certain tenant buyout agreements.

07/29/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/28/2014.

08/15/14; REFERRED TO DEPARTMENT.

09/15/14; TRANSFERRED to Budget and Finance Committee.

09/16/14; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

140979 [Park Code - Flexible Pricing at Gleneagles Golf Course; Lease Amendment - Gleneagles Golf Partners, LP - Operation of Gleneagles Golf Course - Percentage of Gross Revenues]

Sponsor: Cohen

Ordinance amending the Park Code to authorize Flexible Pricing at the McLaren Park Gleneagles Golf Course; and making environmental findings.
(Fiscal Impact; No Budget and Legislative Analyst Report.)

09/16/14; ASSIGNED to Budget and Finance Committee.

140980 [Summary Street Vacation - Portion of Raccoon Drive]

Sponsor: Wiener

Ordinance ordering the summary street vacation of a portion of Raccoon Drive, between Twin Peaks Boulevard and Saint Germain Avenue; approving a quitclaim of the City's interest in the vacation area; approving a public access easement over a portion of the vacation area; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this legislation are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance.

09/16/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/16/2014.

140981 [Administrative Code - Street Light Policy]

Sponsors: Wiener; Cohen and Breed

Ordinance amending the Administrative Code to provide a Street Light Policy; and to make relevant findings.

09/16/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/16/2014.

140982 [Planning Code - Arcades in the Upper Market Street Neighborhood Commercial Transit District]

Sponsor: Wiener

Ordinance amending the Planning Code to permit arcades in the Upper Market Street Neighborhood Commercial Transit District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

09/16/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/16/2014

Resolutions

140942 [Board Response - Civil Grand Jury Report - Inquiry into the Operation and Programs of the San Francisco Jails]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2013-2014 Civil Grand Jury Report, entitled "Inquiry into the Operation and Programs of the San Francisco Jails;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

07/03/14; REFERRED TO DEPARTMENT.

08/19/14; RESPONSE RECEIVED.

08/26/14; RESPONSE RECEIVED.

08/29/14; RESPONSE RECEIVED.

09/02/14; RESPONSE RECEIVED.

09/16/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

140943 [Board Response - Civil Grand Jury Report - The Mayor's Office of Housing, Under Pressure and Challenged to Preserve Diversity]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2013-2014 Civil Grand Jury Report, entitled "The Mayor's Office of Housing, Under Pressure and Challenged to Preserve Diversity;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

07/07/14; REFERRED TO DEPARTMENT.

09/05/14; RESPONSE RECEIVED.

09/05/14; RESPONSE RECEIVED.

09/05/14; RESPONSE RECEIVED.

09/16/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

140983 [Master Lease - 250 Kearny Street, LLC - 136 Residential Units - $161,840 Monthly Initial Rent]

Sponsors: Mayor; Chiu and Farrell

Resolution authorizing the execution and acceptance of a Residential Master Lease by and between the City and County of San Francisco and 250 Kearny Street, LLC, a California Limited Liability Company, for the real property located at 250 Kearny Street, providing 136 units of affordable housing primarily for chronically homeless veterans, with a monthly initial rent amount of $161,840 for a ten-year term to commence October 1, 2014, with one five-year option to extend.
(Fiscal Impact)

09/16/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140984 [Agreement Amendment - Armed and Unarmed Security Services - Cypress Security, LLC - Not to Exceed $35,900,000]

Sponsor: Avalos

Resolution approving the Seventh Amendment to the Armed and Unarmed Security Services Agreement between the City, through the Municipal Transportation Agency, and Cypress Security, LLC, to increase the amount of the contract by $3,000,000 for a total contract amount not to exceed $35,900,000 and extending the term for six months until March 31, 2015.
(Fiscal Impact)

09/16/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140985 [Urging Support of the Expanded Use of Pre-Exposure Prophylaxis]

Sponsors: Campos; Wiener and Mar

Resolution urging support of the expanded use of Pre-Exposure Prophylaxis as a tool to end the HIV/AIDS epidemic.

09/16/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

140986 [Hearing - Don't Block the Box Traffic Congestion Program]

Sponsors: Kim; Yee, Avalos and Mar

Hearing requesting presentations from the Municipal Transportation Agency, the Department of Parking and Traffic, the Police Department, and the Transportation Authority on data gathered and outcomes of the July-September "Don't Block the Box" pilot and next steps for long-term implementation and enforcement of this traffic congestion program.

09/16/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

140987 [Hearing - Educational and Support Services for Unaccompanied Immigrant Children]

Sponsors: Kim; Campos, Yee and Avalos

Hearing requesting presentations from the San Francisco Unified School District, the Department of Public Health, and the Human Services Agency, Family and Children Services Division, regarding educational services and other support services being provided to increased numbers of unaccompanied immigrant children arriving in San Francisco.

09/16/14; RECEIVED AND ASSIGNED to City and School District Select Committee.

140988 **[Hearing - Bicycle Access on Muni]**
Sponsors: Mar; Avalos
Hearing on bicycle access on Muni buses and Light Rail Vehicles.

09/16/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

140798 **[Business and Tax Regulations Code - Amendments to Common Administrative Provisions, Business Registration, Payroll Expense Tax, and Gross Receipts Tax]**
Sponsor: Chiu
Ordinance amending the Business and Tax Regulations Code by revising the minimum filing amounts for the payroll expense tax and gross receipts tax and making the amounts consistent with administrative requirements for the small business exemptions; clarifying penalty and interest provisions; clarifying that each member of a combined group engaged in business in San Francisco must register with the Tax Collector; clarifying when annual adjustments must be made to the business registration fee; clarifying the basis of the business registration fee; and deleting obsolete registration provisions.

07/11/14; RECEIVED FROM DEPARTMENT.

07/22/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 8/21/2014.

08/15/14; REFERRED TO DEPARTMENT.

09/02/14; RECEIVED FROM DEPARTMENT.

09/16/14; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

140947 **[Settlement of Lawsuit - Carpenter's Union Local 22 - $60,000]**
Ordinance authorizing settlement of the lawsuit filed by Carpenter's Local 22 against the City and County of San Francisco for $60,000; the lawsuit was filed on April 8, 2014, in United States District Court, Northern District of California, Case No. CV-14-01615 RS; entitled Carpenters Union, Local 22, v. City and County of San Francisco, et al. (City Attorney)

09/08/14; RECEIVED FROM DEPARTMENT.

09/16/14; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

140945 [California Environmental Quality Act Findings and Mitigation Agreements - Various Cemeteries and the California Golf Club - Regional Groundwater Storage and Recovery Project]

Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to funding for the Regional Groundwater Storage and Recovery Project; and authorizing the General Manager of the Public Utilities Commission to enter into mitigation agreements with Cypress Lawn Memorial Park Cemetery, Eternal Home Cemetery, Hills of Eternity/Home of Peace/Salem Cemeteries, Holy Cross Catholic Cemetery, Italian Cemetery, Olivet Cemetery, Woodlawn Cemetery, and the California Golf Club for an indefinite term beginning upon execution of the agreements. (Public Utilities Commission)

09/08/14; RECEIVED FROM DEPARTMENT.

09/16/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

140946 [Lease Amendments - Bay Area Restaurant Group, JV - Bayport Concessions, LLC - SSP America, Inc. - Gotham Enterprises, LLC - Sankaku, Inc. - Airport Concessions]

Resolution approving Amendment No. 1 to Domestic Terminal Food and Beverage Lease No. 03-0184 with Bay Area Restaurant Group, JV ("Max's Eatz" and "Max's the Greek") for a Term of ten years, plus one two-year option and a Minimum Annual Guarantee of $36,103.00; No. 03-0183 with Bayport Concessions, LLC ("Willow Creek Grill") for a Term of ten years, plus one two-year option and a Minimum Annual Guarantee of $34,237.00; No. 03-0200 with SSP America, Inc. ("Anchor Steam") for a Term of ten years, plus one two-year option and a Minimum Annual Guarantee of $150,329.00; and Amendment No. 2 to No. 03-0193 with Gotham Enterprises, LLC ("Peet's Coffee & Tea") for a Term of ten years, plus one two-year option and a Minimum Annual Guarantee of $36,487.00; and No. 03-0180 with Sankaku, Inc. ("Sankaku") for a Term of ten years, plus one two-year option and a Minimum Annual Guarantee of $37,125.00; and the City and County of San Francisco, acting by and through its Airport Commission, to commence following Board approval. (Airport Commission)

09/05/14; RECEIVED FROM DEPARTMENT.

09/16/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Request Granted

From: Supervisor Breed
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to begin drafting a Charter amendment for the November 2015 ballot that will require the City and the Fire Department to always meet a minimum level of Emergency Medical Services for the people of San Francisco, in similar manner to the minimum fire suppression resources required under the 2005 voter-approved Proposition F.

In Memoriams

Alden Gilchrist - Board President Chiu
Lawrence Shelton, Sr. - Supervisor Breed

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:06 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 21, 2014.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, September 23, 2014 - 2:00 PM

GOVERNMENT
DOCUMENTS DEPT

APR - 9 2015

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang, Chiu	2nd and 4th Thursday 11:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Volume 109 Number 31

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Land Use and Economic Development Committee

140120 [Building Code - Earthquake Performance Evaluation of Private School Structures]

Sponsors: Mayor; Breed, Campos, Chiu, Farrell, Mar, Tang, Wiener and Yee

Ordinance amending the Building Code to 1) require that existing private elementary and secondary schools obtain an evaluation by a licensed structural engineer for performance during a future earthquake, 2) assess a fee for Building Department review and related evaluation processing, 3) exempt certain buildings from the evaluation requirements, 4) provide that buildings where voluntary seismic retrofit work is done to specified standards shall not be identified as a seismic hazard under later-enacted local building standards, and 5) require that a building changing to a school occupancy classification comply with the evaluation requirements; making environmental findings and findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage.

Ordinance No. 202-14

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

140918 [Appropriation - Legal Services for Unaccompanied Children and Families - Mayor's Office of Housing - $2,127,600 - FYs 2014-2015 and 2015-2016]

Sponsors: Campos; Avalos, Yee and Mar

Ordinance appropriating $2,127,600 from the General Fund Reserve to the Mayor's Office of Housing, $1,063,800 in FY2014-2015 and $1,063,800 in FY2015-2016, for legal services for unaccompanied children and families on the San Francisco Immigration Court's expedited removal docket.
(Fiscal Impact)

Ordinance No. 203-14

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

140846 [Contracting Process for the Police Department Traffic Company and Forensic Services Division Project]

Ordinance modifying the requirements of Administrative Code, Section 6.68(H), to authorize the Director of Public Works to issue Requests for Proposals to pre-qualified Construction Managers/General Contractors (CM/GC) and their teams of pre-qualified core trade subcontractors to design-build the mechanical, electrical, plumbing, and exterior building envelope scopes of work for the Traffic Company and Forensic Services Division Project; use cost and non-cost criteria to evaluate the design-build proposals for the core trade work; and award a prime contract to the CM/GC based in part on an evaluation of cost and non-cost criteria for the core trade work; and making environmental findings. (Public Works Department)
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140851 [Appropriation and De-Appropriation - Surplus Expenditure of $12,292 Supporting Increased Overtime Expenditures - FY2013-2014]

Sponsor: Mayor

Ordinance appropriating $12,292 to overtime and de-appropriating $12,292 in fringe benefits in the Public Utilities Commission Bureau Operating Budget to support the department's projected increases in overtime as required per Ordinance No. 194-11 retroactive to June 30, 2014.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140852 [Appropriation and De-Appropriation - Surplus Expenditure of $79,437 Supporting Increased Overtime Expenditures - FY2013-2014]

Sponsor: Mayor

Ordinance appropriating $79,437 to overtime and de-appropriating $79,437 in salaries in the Public Utilities Commission Water Enterprise Department Operating Budget to support the department's projected increases in overtime as required per Ordinance No. 194-11 retroactive to June 30, 2014.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140853 [Appropriation and De-Appropriation - Surplus Expenditure of $193,935 Supporting Increased Overtime Expenditures - FY2013-2014]

Sponsor: Mayor

Ordinance appropriating $193,935 to overtime and de-appropriating $193,935 in salaries in the Public Utilities Commission Wastewater Enterprise Department Operating Budget to support the department's projected increases in overtime as required per Ordinance No. 194-11 retroactive to June 30, 2014.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140917 [Remarketing of Finance Corporation Lease Revenue Bonds Series 2008-1 and 2008-2 (Moscone Center Expansion Project)]

Sponsor: Mayor

Ordinance approving the remarketing of the City and County of San Francisco Finance Corporation Lease Revenue Refunding Bonds, Series 2008-1 (Moscone Center Expansion Project) and City and County of San Francisco Finance Corporation Lease Revenue Refunding Bonds, Series 2008-2 (Moscone Center Expansion Project); approving the form of a reimbursement agreement among the City and County of San Francisco, the City and County of San Francisco Finance Corporation, and the State Street Bank and Trust Company; approving the form of an amended and restated reimbursement agreement; approving the form of a fee agreement; approving the form of an amended and restated fee agreement; approving the form of a remarketing supplement; approving the form of custodian agreement; approving the form of amended and restated custodian agreement; granting general authority to City officials to take necessary actions in connection with the remarketing of the Bonds; approving modifications to documents; approving the execution and delivery of certain documents described herein and ratifying previous actions taken in connection therewith.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140501 [Lease Amendment - T. Mobile West, LLC - Cellular Service Equipment Sites]
Resolution retroactively approving Amendment No. 1 to the Cellular Service Equipment Sites Lease No. 09-0051C between T-Mobile West, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, extending the term for five years from July 1, 2014, through June 30, 2019. (Airport Commission)
(Fiscal Impact)

Resolution No. 353-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140502 [Lease and Use Agreement Modification - Hawaiian Airlines, Inc. - $870,350]
Resolution approving Modification No. 1 to 2011 Lease and Use Agreement No. L11-0011 between Hawaiian Airlines, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, to add the administrative office (538 square feet) to the lease, for a minimum guarantee of $870,350 over the remainder of the lease expiring on June 30, 2021. (Airport Commission)
(Fiscal Impact)

Resolution No. 354-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140503 [Lease and Use Agreement Modification - United Airlines, Inc. - $92,628,977]
Resolution approving and authorizing the execution of Modification No. 1 to the Lease and Use Agreement L10-0097 with United Airlines, Inc., at the San Francisco International Airport to increase the premises by approximately 92,331 square feet of exclusive use space in a total amount of $92,628,977 over the remaining seven years of the term, expiring on June 30, 2021. (Airport Commission)
(Fiscal Impact)

Resolution No. 355-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140861 [Master Lease Amendment - United States Navy - Treasure Island Childcare]
Resolution approving Amendment No. 10 to the Treasure Island Childcare Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year for the period of December 1, 2014, through November 30, 2015. (Treasure Island Development Authority)

Resolution No. 356-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140862 [Master Lease Amendment - United States Navy - Treasure Island Event Venues]

Resolution approving Amendment No. 26 to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year for the period of December 1, 2014, through November 30, 2015. (Treasure Island Development Authority)

Resolution No. 357-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140863 [Master Lease Amendment - United States Navy - Treasure Island Fire Fighting Training Center]

Resolution approving the Sixth Amendment to the Treasure Island Fire Fighting Training Center Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year for the period of December 1, 2014, through November 30, 2015. (Treasure Island Development Authority)

Resolution No. 358-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140864 [Master Lease Amendment - United States Navy - Treasure Island Land and Structures]

Resolution approving Amendment No. 39 to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year for the period of December 1, 2014, through November 30, 2015. (Treasure Island Development Authority)

Resolution No. 359-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140865 [Master Lease Amendment - United States Navy - Treasure Island Marina]

Resolution approving Amendment No. 18 to the Treasure Island Marina Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year for the period of December 1, 2014, through November 30, 2015. (Treasure Island Development Authority)

Resolution No. 360-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140866 [Master Lease Amendment - United States Navy - Treasure Island South Waterfront]

Resolution approving Amendment No. 30 to the Treasure Island South Waterfront Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year for the period of December 1, 2014, through November 30, 2015. (Treasure Island Development Authority)

Resolution No. 361-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140903 [Contracts - Various Vendors - Technology Marketplace - Not to Exceed $12,000,000 Each]

Resolution authorizing the Office of Contract Administration to enter into nine contracts for the Technology Marketplace (Successor to the Technology Store) purchases between the City and County and En Pointe Technologies, Inc., World Wide Technology, Inc., ComputerLand of Silicon Valley, Xtech JV, Technology Integration Group, Central Computers, Stellar Services, Robert Half Technology, and InterVision Systems Technologies, Inc., with initial not to exceed amounts of $12,000,000 each, for the term ending September 30, 2017, to commence following Board approval, with two options to extend the contracts for up to one year each at the sole and absolute discretion of the City. (Office of Contract Administration)
(Fiscal Impact)

Resolution No. 362-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140924 [Multifamily Housing Revenue Note (Bill Sorro Community) - Not to Exceed $25,000,000]

Sponsors: Kim; Mar

Resolution authorizing the execution, sale, and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed $25,000,000 for the purpose of providing financing for the construction of a 67-unit affordable rental housing development known as Bill Sorro Community; approving the form of and authorizing the execution of a funding loan agreement and a borrower loan agreement; providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; authorizing the collection of certain fees; approving modifications, changes, and additions to the documents; granting general authority to City officials to take actions necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the note and the project, as defined herein.

Resolution No. 363-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140925 [Property Conveyance and Ground Lease - 67 Units Affordable Housing - Mercy Housing California 51 - 1009 Howard Street]

Sponsors: Kim; Mar

Resolution approving and authorizing the conveyance of real property located at 1009 Howard Street from the Office of Community Investment and Infrastructure to the Mayor's Office of Housing and Community Development (as Successor Housing Agency to the San Francisco Redevelopment Agency); approving and authorizing the Mayor's Office of Housing and Community Development to enter into a 99 year ground lease totaling $99 with Mercy Housing California 51, a California limited partnership, for the development and operation of 66 units of affordable housing (plus one manager's unit) on such property; and making findings that the conveyance and ground lease are in conformance with the California Environmental Quality Act, the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Resolution No. 364-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

140777 [Landmark Tree Designation - Giant Sequoia Located at 3066 Market Street]
Sponsors: Wiener; Campos

Ordinance designating the Giant Sequoia (Sequoiadendron giganteum) tree at 3066 Market Street (Assessor's Block No. 2656, Lot. No. 020) as a landmark tree pursuant to Public Works Code, Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

Supervisor Campos requested to be added as a co-sponsor.

Supervisor Wiener, seconded by Supervisor Campos, AMENDED on Page 1, Lines 6 and 7, by adding 'as detailed in the Ordinance.' The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Ordinance designating the Giant Sequoia (Sequoiadendron giganteum) tree at 3066 Market Street (Assessor's Block No. 2656, Lot. No. 020) as a landmark tree pursuant to Public Works Code, Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation as detailed in the Ordinance.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

There were none.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

140836 [Public Hearing - Establishing the Community Facilities District (CFD) 2014-1 (Transbay Transit Center)]

Public hearing of persons interested in or objecting to the proposed Resolution of Formation for Special Tax District No. 2014-1, establishing the Transbay Transit CFD and determining other matters in connection therewith; Resolution determining necessity to incur bonded indebtedness for the CFD; and Resolution calling for a special election in the City and County of San Francisco to submit the issues of the special tax, the incurring of bonded indebtedness and the establishment of the appropriations limit to the qualified electors of the CFD. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File Nos. 140814, 140815, and 140816. Ken Rich (Mayor's Office of Economic and Workforce Development) and Nadia Sesay, Director, Office of Public Finance, provided an overview of the proposed Community Facilities District (CFD) and responded to questions raised throughout the discussion. Walter Paulson; Tom Gilberty; expressed various concerns and spoke in support of the CFD. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

140814 [Resolution of Formation - City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center)]

Sponsor: Mayor

Resolution of formation of the City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) and determining other matters in connection therewith.

The amendments to the accompanying report, as provided by the Office of Public Finance, included in File No. 140814, were received without objection.

Supervisor Kim, seconded by Supervisor Campos, AMENDED on Page 3, Lines 7 through 9, by adding 'September 9, 2014; and WHEREAS, The Board of Supervisors continued the public hearing on September 2014, and further continued the public hearing to September 23, 2014' and on Page 6, Lines 12 through 18, by adding "FURTHER RESOLVED, This Board of Supervisors hereby acknowledges receipt and accepts the terms of a statement from each of the three public agencies in accordance with Government Code 53111 in which each states that all or a portion of its land is intended to be transferred to private ownership, that its land will be subject to the special tax on the same basis as private property within the CFD and that it affirmatively waives any defense based on the fact of public ownership, to any action to foreclose on the property in the event of nonpayment of the special tax; and, be it'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Resolution No. 350-14

ADOPTED AS AMENDED, after accepting the amendments to the accompanying report, by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140815 [Determining Necessity to Incur Bonded Indebtedness - City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center)]

Sponsor: Mayor

Resolution determining necessity to incur bonded indebtedness for City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) and determining other matters therewith.

Resolution No. 351-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140816 [Special Election for the Community Facilities District No. 2014-1 (Transbay Transit Center)]

Sponsor: Mayor

Resolution calling for a special election in the City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center).

Supervisor Kim, seconded by Supervisor Campos, AMENDED on Page 2, Lines 21 and 22, by adding 'December 29, 2014'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Resolution No. 352-14

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140972 [Final Map 7885 - 2401-2405 and 2421-2425 16th Street]

Motion approving Final Map 7885, a two lot subdivision: Lot "A" being a 12 residential unit condominium project, located at 2401-2405 and 2421-2425 16th Street, being a subdivision of Assessor's Block No. 3965, Lot No. 001, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-159

APPROVED

140973 [Final Map 7721 - 25 Camp Street]

Motion approving Final Map 7721, a six residential unit condominium project, located at 25 Camp Street, being a subdivision of Assessor's Block No. 3568, Lot No. 050, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works Department)

Motion No. M14-160

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

120796 [Planning Code, Zoning Map - Establishing the Divisadero Street Neighborhood Commercial District and Deleting the Divisadero Street Restricted Use District]

Sponsor: Breed

Ordinance amending the Planning Code to establish the Divisadero Street Neighborhood Commercial District (NCD) along Divisadero Street between Haight and O'Farrell Streets, deleting the Divisadero Street Alcohol Restricted Use District (RUD), amending various other Code sections to make conforming and other technical changes, amending the Zoning Map to add the Divisadero Street NCD and deleting the Divisadero Street RUD, affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

07/24/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

07/27/12; REFERRED TO DEPARTMENT.

07/31/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

08/09/12; REFERRED TO DEPARTMENT.

10/30/12; REMAIN ACTIVE.

11/26/12; RESPONSE RECEIVED.

12/04/12; RESPONSE RECEIVED.

02/26/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

03/13/13; REFERRED TO DEPARTMENT.

06/17/13; RESPONSE RECEIVED.

07/26/13; RESPONSE RECEIVED.

06/04/14; REMAIN ACTIVE.

09/23/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

120814 [Planning Code, Zoning Map - Establishing the Fillmore Street Neighborhood Commercial District]

Sponsor: Breed

Ordinance amending the Planning Code to establish the Fillmore Street Neighborhood Commercial District (NCD) along Fillmore Street between Bush and McAllister Streets; amending various other Code sections to make conforming and other technical changes; amending the Zoning Map to add the Fillmore Street NCD; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

07/31/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/30/2012.

08/10/12; REFERRED TO DEPARTMENT.

10/23/12; RESPONSE RECEIVED.

10/30/12; REMAIN ACTIVE.

01/15/13; REMAIN ACTIVE.

03/05/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

03/19/13; REFERRED TO DEPARTMENT.

06/17/13; RESPONSE RECEIVED.

07/26/13; RESPONSE RECEIVED.

06/04/14; REMAIN ACTIVE.

09/23/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

140979 [Park Code - Flexible Pricing at Gleneagles Golf Course; Lease Amendment - Gleneagles Golf Partners, LP - Operation of Gleneagles Golf Course - Percentage of Gross Revenues]

Sponsor: Cohen

Ordinance amending the Park Code to authorize flexible pricing at Gleneagles Golf Course in McLaren Park; approving the amendment and extension of a nine year lease with Gleneagles Golf Partners, LP, for operation of the Gleneagles Golf Course commencing on the effective date of this Ordinance and ending November 30, 2022, for 7% of gross revenues, subject to conditions, incentives, participation rent, and rent credits; and affirming the Planning Department's determination under the California Environmental Quality Act.

09/16/14; ASSIGNED to Budget and Finance Committee.

09/23/14; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

140999 [Administrative Code - 14B Local Business Enterprise Program]

Sponsors: Mayor; Chiu

Ordinance amending the Administrative Code to comprehensively revise the Local Business Enterprise (LBE) and Non-Discrimination in Contracting Ordinance ("Chapter 14B") to: 1) codify the transfer of implementation and enforcement of Chapter 14B from the Human Rights Commission to the City Administrator and Contract Monitoring Division; 2) require the Mayor to annually set an overall City-wide LBE participation goal of not less than 40% of the value of upcoming contracts; 3) increase the LBE certification size thresholds for small and micro LBEs; 4) increase the bid discount allowed to SBA-LBEs on contracts between $10,000 and $10,000,000; 5) require Administrative Code, Chapter 56, development agreements to include a LBE utilization plan and be subject to certain Chapter 14B provisions; 6) authorize preparation of an implementation plan for an LBE contractor advance program to fund loans to subcontractors; 7) increase the Surety Bond Program limit from $750,000 to $1,000,000; 8) require the City to make good faith efforts to obtain at least three bids from LBEs for contracts under the threshold or minimum competitive amounts; 9) establish a Mentor-Protégé Program between established successful contractors and LBEs; 10) require separate LBE participation on design and construction portions of design-build construction contracts; 11) repeal Ordinance No. 97-10 relating to completion of the Bayview Branch Library Construction Project; and 12) make various other changes in Chapter 14B.
(Fiscal Impact; No Budget and Legislative Analyst Report)

09/23/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 10/23/2014.

141000 [Appropriation - Support for HIV Prevention - Department of Public Health - $301,600 - FY2014-2015]

Sponsors: Campos; Mar, Kim and Avalos

Ordinance appropriating $801,600 from the General Fund Reserve to the Department of Public Health in FY2014-2015, for HIV prevention support for access to PreExposure Prophylaxis medication to assist in the prevention of HIV infection transmission.
(Fiscal Impact)

09/23/14; ASSIGNED to Budget and Finance Committee.

141001 [Administrative Code - Requiring City Contractors to Submit an Equal Pay Report and Establishing an Equal Pay Advisory Board]

Sponsors: Campos; Kim, Avalos, Mar and Farrell

Ordinance amending the Administrative Code to require certain City contractors and subcontractors with 20 or more employees to submit an Equal Pay Report regarding compensation paid to employees; and establishing the Equal Pay Advisory Board to analyze and recommend the best methods of data collection that will identify wage gaps, and setting forth the membership and duties of the Advisory Board.

09/23/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/23/2014.

141002 [Police Code - Access to Reproductive Health Care Facilities]

Sponsors: Campos; Wiener, Mar, Yee, Kim and Avalos

Ordinance amending the Police Code to repeal the prohibition on entering or remaining within a 25-foot buffer zone of a reproductive health care facility; to prohibit individuals from following or harassing others within 25 feet of the entrance to such a facility; to prohibit impeding access to the door of such a facility; and to prohibit excessive noise through yelling or amplification of sound within 50 feet of such a facility.

09/23/14; ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee, expires on 10/23/2014.

141003 [Campaign and Governmental Conduct Code - Conflict of Interest Code Amendments]

Sponsor: Chiu

Ordinance amending the Campaign and Governmental Conduct Code to update the City's Conflict of Interest Code.

09/23/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/23/2014.

Resolutions

141004 [Accept and Expend Grant - Juvenile Justice Accountability Block Grant - $75,889]

Sponsor: Campos

Resolution retroactively authorizing the Public Defender's Office to accept and expend a grant in the amount of $75,889 from the Board of State and Community Corrections for the purposes of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant, for the term of July 1, 2014, through June 30, 2015.

09/23/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141005 [Street Encroachment - Automated Waste Collection System within Candlestick Point-Hunters Point Shipyard]

Sponsor: Cohen

Resolution granting revocable permission to Recology, Inc., to occupy a portion of the public right-of-way to construct and maintain various improvements for the below-grade Automated Waste Collection System (AWCS), which will be located within the Candlestick Point-Hunters Point Phase 2 Redevelopment Project Areas, to transport streams of solid waste in the AWCS pipe network from multiple private indoor and public outdoor waste inlets to separate enclosed centralized waste collection facilities for transport to off-site landfill, recycling, or compost facilities; conditioning the permit; making environmental findings under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

09/23/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

141006 [Interim Zoning Controls - New Ground Floor Office Uses Facing 2nd Street, from King and Folsom Streets]

Sponsor: Kim

Resolution imposing interim zoning controls requiring conditional use authorization for new office uses facing 2nd Street, from King to Folsom Streets, for eighteen months; and making environmental findings, including findings of consistency with the eight priority policies of Planning Code, Section 101.1.

09/23/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

141007 [Multifamily Housing Revenue Bonds - 588 Mission Bay Boulevard North (aka, Mission Bay South Block 7 West) - Not to Exceed $60,000,000]

Sponsor: Kim

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $60,000,000 for 588 Mission Bay Boulevard North (also known as, Mission Bay South Block 7 West); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $60,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein and the Application, as defined herein.

09/23/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141008 [Urging the Successful Resolution of Negotiations between the San Francisco Unified School District and the United Educators of San Francisco]

Sponsors: Mar; Campos, Cohen and Avalos

Resolution urging the successful resolution of negotiations between the San Francisco Unified School District and the United Educators of San Francisco to avoid a strike and an interruption to the education of San Francisco's students.

09/23/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

141009 [Concurring in the Second Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]

Motion concurring in the "Rim Fire" Second Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

09/23/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

140792 [Hearing - Civil Grand Jury Report - Rising Sea Levels... At Our Doorstep]

Hearing on the recently published 2013-2014 Civil Grand Jury report, entitled "Rising Sea Levels... At Our Doorstep." (Clerk of the Board)

06/25/14; REFERRED TO DEPARTMENT.

07/08/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

09/23/14; REACTIVATED PURSUANT TO RULE 3.42 to Government Audit and Oversight Committee.

140793 [Hearing - Civil Grand Jury Report - Ethics in the City: Promise, Practice or Pretense]

Hearing on the recently published 2013-2014 Civil Grand Jury report, entitled "Ethics in the City: Promise, Practice or Pretense." (Clerk of the Board)

06/26/14; REFERRED TO DEPARTMENT.

07/08/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

09/23/14; REACTIVATED PURSUANT TO RULE 3.42 to Government Audit and Oversight Committee.

141010 [Hearing - Night Noise Permits in Residential Areas]

Sponsor: Kim

Hearing on noticing requirements and issuance of night noise permits in residential areas; and request for presentations from the Department of Building Inspection, the Municipal Transportation Agency, the Department of Public Health, and the Department of Public Works on their consideration of neighborhood concerns in issuing night noise permits and road closures.

09/23/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

141011 [Hearing - State of Existing Light Rail Vehicle Fleet]

Sponsor: Wiener

Hearing directed to the Municipal Transportation Agency to report on the state of Muni's light rail vehicles, including the existing vehicle shortage and lack of reliability, as well as Muni's plans to keep the light rail fleet viable and improve reliability over the next number of years through the arrival of the new Siemens light rail vehicles.

09/23/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCE

140970 **[Administrative Code - Calculating Interest on Residential Rental Security Deposits]**
Ordinance amending the Administrative Code to provide a new method for calculating the interest on residential rental security deposits beginning March 1, 2015. (Rent Stabilization and Arbitration Board)

09/09/14; RECEIVED FROM DEPARTMENT.

09/23/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/23/2014.

In Memoriams

Pui Fong Yim Lee - Supervisor Chiu
Robert Joyce Williams - Supervisor Kim
Former State Senator John Francis Foran - Supervisor Yee
Rosetta Sangiacomo - Supervisor Yee

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:06 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 28, 2014.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, September 30, 2014 - 2:00 PM

GOVERNMENT
DOCUMENTS DEPT

APR -9 2015

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang, Chiu	2nd and 4th Thursday 11:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Volume 109 Number 32

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

140846 [Contracting Process for the Police Department Traffic Company and Forensic Services Division Project]

Ordinance modifying the requirements of Administrative Code, Section 6.68(H), to authorize the Director of Public Works to issue Requests for Proposals to pre-qualified Construction Managers/General Contractors (CM/GC) and their teams of pre-qualified core trade subcontractors to design-build the mechanical, electrical, plumbing, and exterior building envelope scopes of work for the Traffic Company and Forensic Services Division Project; use cost and non-cost criteria to evaluate the design-build proposals for the core trade work; and award a prime contract to the CM/GC based in part on an evaluation of cost and non-cost criteria for the core trade work; and making environmental findings. (Public Works Department)
(Fiscal Impact)

Ordinance No. 206-14

FINALLY PASSED

140851 [Appropriation and De-Appropriation - Surplus Expenditure of $12,292 Supporting Increased Overtime Expenditures - FY2013-2014]

Sponsor: Mayor

Ordinance appropriating $12,292 to overtime and de-appropriating $12,292 in fringe benefits in the Public Utilities Commission Bureau Operating Budget to support the department's projected increases in overtime as required per Ordinance No. 194-11 retroactive to June 30, 2014.

Ordinance No. 207-14

FINALLY PASSED

140852 [Appropriation and De-Appropriation - Surplus Expenditure of $79,437 Supporting Increased Overtime Expenditures - FY2013-2014]

Sponsor: Mayor

Ordinance appropriating $79,437 to overtime and de-appropriating $79,437 in salaries in the Public Utilities Commission Water Enterprise Department Operating Budget to support the department's projected increases in overtime as required per Ordinance No. 194-11 retroactive to June 30, 2014.

Ordinance No. 208-14

FINALLY PASSED

140853 [Appropriation and De-Appropriation - Surplus Expenditure of $193,935 Supporting Increased Overtime Expenditures - FY2013-2014]

Sponsor: Mayor

Ordinance appropriating $193,935 to overtime and de-appropriating $193,935 in salaries in the Public Utilities Commission Wastewater Enterprise Department Operating Budget to support the department's projected increases in overtime as required per Ordinance No. 194-11 retroactive to June 30, 2014.

Ordinance No. 209-14

FINALLY PASSED

140917 [Remarketing of Finance Corporation Lease Revenue Bonds Series 2008-1 and 2008-2 (Moscone Center Expansion Project)]

Sponsor: Mayor

Ordinance approving the remarketing of the City and County of San Francisco Finance Corporation Lease Revenue Refunding Bonds, Series 2008-1 (Moscone Center Expansion Project) and City and County of San Francisco Finance Corporation Lease Revenue Refunding Bonds, Series 2008-2 (Moscone Center Expansion Project); approving the form of a reimbursement agreement among the City and County of San Francisco, the City and County of San Francisco Finance Corporation, and the State Street Bank and Trust Company; approving the form of an amended and restated reimbursement agreement; approving the form of a fee agreement; approving the form of an amended and restated fee agreement; approving the form of a remarketing supplement; approving the form of custodian agreement; approving the form of amended and restated custodian agreement; granting general authority to City officials to take necessary actions in connection with the remarketing of the Bonds; approving modifications to documents; approving the execution and delivery of certain documents described herein and ratifying previous actions taken in connection therewith.
(Fiscal Impact)

Ordinance No. 201-14

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

140724 [Planning Code - Nighttime Entertainment and Uses Greater than 25,000 Square Feet in Western SoMa]

Sponsors: Kim; Campos and Wiener

Ordinance amending the Planning Code to authorize Elementary and Secondary Schools and Child Care uses to exceed 25,000 square feet in the Regional Commercial District, authorize a Nighttime Entertainment use in the Western SoMa Mixed Use-Office Zoning District within 200 feet of any property within a Residential Enclave or Residential Enclave-Mixed District where a Nighttime Entertainment use legally operated within five years prior to an application to re-establish the use, allow Nighttime Entertainment as a permitted use within the Western SoMa Mixed Use-Office Zoning District; and affirming the Planning Department's California Environmental Quality Act determination and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Ordinance No. 204-14

FINALLY PASSED

Recommendations of the Rules Committee

140845 [Settlement of Lawsuit - Earl Brown Sr., Helen Brown, and the Estate of Earl Brown Jr. - $175,000]

Ordinance authorizing settlement of the lawsuit filed by Earl Brown Sr., Helen Brown, and the Estate of Earl Brown Jr., against the City and County of San Francisco for $175,000; the lawsuit was filed on May 2, 2011, in United States District Court, Case No. C11-02162 LB; entitled Earl Brown Sr., Helen Brown, and the Estate of Earl Brown Jr. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

140892 [Settlement of Lawsuit - Margarita Herrera - $475,000]

Ordinance authorizing settlement of the lawsuit filed by Margarita Herrera against the City and County of San Francisco for $475,000; the lawsuit was filed on June 5, 2013, in San Francisco Superior Court, Case No. CGC 13-531901; entitled Herrera v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

140904 [Settlement of Lawsuit - Justin Neisuler - $63,000]

Ordinance authorizing settlement of the lawsuit filed by Justin Neisuler against the City and County of San Francisco for $63,000; the lawsuit was filed on December 4, 2012, in San Francisco Superior Court, Case No. CGC-12-526598; entitled Justin Neisuler v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

140905 [Settlement of Lawsuit - Sean Alexander Hold - $210,000]
Ordinance authorizing settlement of the lawsuit filed by Sean Alexander Hold against the City and County of San Francisco for $210,000; the lawsuit was filed on December 16, 2013, in the United States District Court for the Northern District of California, Case No. C13-5814 CW; entitled Sean Alexander Hold v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

140906 [Settlement of Lawsuit - Eduardo Alegrett - $285,000]
Ordinance authorizing settlement of the lawsuit filed by Eduardo Alegrett against the City and County of San Francisco for $285,000; the lawsuit was filed on October 29, 2012, in the United States District Court for the Northern District of California, Case No. C-12-5538-MEJ; entitled Eduardo Alegrett v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

140867 [Settlement of Grievance - Pamela Arons - $130,000]
Resolution approving settlement of the unlitigated grievance (ERD No. 45-08-1876) of Pamela Arons against the City and County of San Francisco for $130,000; Service Employees International Union, Local 1021, notified the City of the grievance entitled Grievance of Pamela Arons, on June 30, 2008. (City Attorney)

Resolution No. 367-14

ADOPTED

140868 [Settlement of Claim - Isa and Vegar Svanemyr - $15,130,000]
Resolution approving the settlement of the unlitigated claims filed by Isa and Vegar Svanemyr against the City and County of San Francisco for $15,130,000 to be paid in three installments; claim was filed on November 8, 2013. (City Attorney)

Resolution No. 368-14

ADOPTED

140869 [Settlement of Claim - Wendy and Johnny Tseng - $114,074.63]
Resolution approving the settlement of the unlitigated claim filed by Wendy and Johnny Tseng against the City and County of San Francisco for $114,074.63; claim was filed on January 21, 2014. (City Attorney)

Resolution No. 369-14

ADOPTED

140870 [Settlement of Claim - Lisa Howe - $35,000]
Resolution approving the settlement of the unlitigated claim filed by Lisa Howe against the City and County of San Francisco for $35,000; claim was filed on October 17, 2013. (City Attorney)

Resolution No. 370-14

ADOPTED

140893 **[Settlement of Claim - Janie Vargas and Stanley E. Pond - $55,000]**
Resolution approving the settlement of the unlitigated claim filed by Janie Vargas and Stanley E. Pond, Esq., against the City and County of San Francisco for $55,000; claim was filed on March 3, 2014. (City Attorney)

Resolution No. 371-14

ADOPTED

140966 **[Appointment, Park, Recreation and Open Space Advisory Committee - Jane Weil]**
Motion appointing Jane Weil, term ending February 1, 2015, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)

Motion No. M14-161

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

140777 **[Landmark Tree Designation - Giant Sequoia Located at 3066 Market Street]**
Sponsors: Wiener; Campos
Ordinance designating the Giant Sequoia (Sequoiadendron giganteum) tree at 3066 Market Street (Assessor's Block No. 2656, Lot. No. 020) as a landmark tree pursuant to Public Works Code, Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation as detailed in the Ordinance.

Ordinance No. 205-14

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

140860 [Cooperative Agreement Modification - United States Navy - Treasure Island Development Authority]

Resolution approving and authorizing the Treasure Island Development Authority to enter into a modification of the Cooperative Agreement with the United States Navy to extend the Cooperative Agreement from October 1, 2014, to September 30, 2015. (Treasure Island Development Authority)

Resolution No. 366-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140910 [Lease Renewal - 617 Mission Street - Conner Children's Trust No. 2 - Child Support Services - $1,453,414.56 Total Rent in the First Year]

Resolution authorizing the exercise of an option to extend the term for five years of a lease of 33,998 sq. ft. at 617 Mission Street/109 New Montgomery Street with Edward J. Connor and Douglas G. Moore, Co-Trustees under the Connor Children's Trust No. 2, for the Department of Child Support Services at $121,117.88 monthly for $1,453,414.56 total rent in the first year for the period of January 1, 2015, through December 31, 2019. (Real Estate Department)
(Fiscal Impact)

Resolution No. 372-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140926 [Apply for Grant - Ryan White Act HIV/AIDS Emergency Relief - $36,118,233]
Sponsors: Wiener; Campos

Resolution authorizing the Department of Public Health to submit an application to continue to receive funding for the Ryan White Act HIV/AIDS Emergency Relief Grant Program (Ryan White Programs, Part A) Grant from the Health Resources Services Administration, requesting $36,118,233 in HIV emergency relief program funding for the San Francisco Eligible Metropolitan Area for the period of March 1, 2015, through February 28, 2016.

Supervisor Campos requested to be added as a co-sponsor.

Resolution No. 373-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140927 [Apply for Grant - Comprehensive HIV Prevention Programs - CY2015 - $8,174,213]

Sponsors: Wiener; Campos

Resolution authorizing the Department of Public Health to submit a one-year application for calendar year 2015 to continue to receive funding for the Comprehensive HIV Prevention Programs Grant from the Centers for Disease Control and Prevention, requesting $8,174,213 in HIV prevention funding for San Francisco from January 1, 2015, through December 31, 2015.

Supervisor Campos requested to be added as a co-sponsor.

Resolution No. 374-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140935 [Accept and Expend Grant - University of California - Centers for Disease Control and Prevention Kenya - Monitoring and Evaluation - $378,524]

Sponsor: Wiener

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of $378,524 from the University of California San Francisco to participate in a program entitled Centers for Disease Control and Prevention Kenya - Monitoring and Evaluation for the period of September 30, 2013, through September 29, 2014.

Resolution No. 375-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140955 [Increase of Wastewater Enterprise Commercial Paper Program - Not to Exceed $500,000,000]

Sponsor: Mayor

Resolution authorizing an increase of the principal amount of the Wastewater Enterprise's Commercial Paper Program by $200,000,000 from a principal amount not to exceed $300,000,000 to a principal amount not to exceed $500,000,000 to be issued from time to time by the Public Utilities Commission to finance various capital projects benefitting the Wastewater Enterprise, each pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith.
(Fiscal Impact)

Resolution No. 378-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140983 [Master Lease - 250 Kearny Street, LLC - 136 Residential Units - $161,840 Monthly Initial Rent]

Sponsors: Mayor; Chiu and Farrell

Resolution authorizing the execution and acceptance of a Residential Master Lease by and between the City and County of San Francisco and 250 Kearny Street, LLC, a California Limited Liability Company, for the real property located at 250 Kearny Street, providing 136 units of affordable housing primarily for chronically homeless veterans, with a monthly initial rent amount of $161,840 for a ten-year term to commence October 1, 2014, with one five-year option to extend. (Fiscal Impact)

Privilege of the floor was granted to John Updike, Director, Real Estate Division, Amanda Fried (Housing Opportunity, Partnerships & Engagement), and Bevan Dufty, Director, Housing Opportunity, Partnerships & Engagement, who responded to questions raised throughout the discussion.

Resolution No. 379-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140984 [Agreement Amendment - Armed and Unarmed Security Services - Cypress Security, LLC - Not to Exceed $35,900,000]

Sponsor: Avalos

Resolution approving the Seventh Amendment to the Armed and Unarmed Security Services Agreement between the City, through the Municipal Transportation Agency, and Cypress Security, LLC, to increase the amount of the contract by $3,000,000 for a total contract amount not to exceed $35,900,000 and extending the term for six months until March 31, 2015. (Fiscal Impact)

Resolution No. 380-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140911 [Operating Budget Amendment - Municipal Transportation Agency - Free Muni for Special Education Services Students - FY2015-2016]

Sponsor: Campos

Motion supporting an amendment to the San Francisco Municipal Transportation Agency's FY2015-2016 Operating Budget to provide free Muni service to low and moderate income 19 to 22 year-old students enrolled in the San Francisco Unified School District's Special Education Services Program, and affirming the Municipal Transportation Agency's determination under the California Environmental Quality Act.

Supervisor Campos requested to be added as the primary sponsor.

Motion No. M14-162

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

140854 [Administrative Code - Film Production Fees and Notice Requirements]

Sponsor: Cohen

Ordinance amending the Administrative Code to add "web series" to the schedule of film production use fees and to establish notice requirements to affected residents and businesses for film productions that will result in parking or traffic obstructions lasting four consecutive hours or more.

Supervisor Cohen, seconded by Supervisor Kim, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee

140897 [Confirming Appointment, Treasure Island Development Authority Board of Directors - Jeff Kositsky]

Sponsor: Mayor

Motion confirming the Mayor's appointment of Jeff Kositsky to the Treasure Island Development Authority Board of Directors, for the unexpired portion of a four-year term ending April 28, 2018.

Motion No. M14-163

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140969 [Appointment, Commission of Animal Control and Welfare - Julene Johnson]

Motion appointing Julene Johnson, term ending April 30, 2015, to the Commission of Animal Control and Welfare. (Rules Committee)

Motion No. M14-164

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Kim, seconded by Supervisor Campos, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to First Lieutenant Dennis Cornell and Jonathan Raley to congratulate them on their marriage and in recognition of their accomplishments and efforts in achieving equality for all. Privilege of the floor was granted to Jason Brock who shared in the commendation through song. Supervisors Campos and Chiu shared in this recognition.

COMMITTEE REPORTS

Recommendations of the Government Audit and Oversight Committee

140942 [Board Response - Civil Grand Jury Report - Inquiry into the Operation and Programs of the San Francisco Jails]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2013-2014 Civil Grand Jury Report, entitled "Inquiry into the Operation and Programs of the San Francisco Jails;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

Resolution No. 376-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140943 [Board Response - Civil Grand Jury Report - The Mayor's Office of Housing, Under Pressure and Challenged to Preserve Diversity]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2013-2014 Civil Grand Jury Report, entitled "The Mayor's Office of Housing, Under Pressure and Challenged to Preserve Diversity;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

Resolution No. 377-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

140951 [Zoning - Interim Moratorium on Production, Distribution, and Repair Conversion in the Proposed Central South of Market Plan Area]

Sponsors: Kim; Avalos, Campos, Chiu, Mar and Cohen

Urgency Ordinance approving an interim zoning moratorium to prohibit the conversion or replacement of Production, Distribution, and Repair uses in the proposed Central South of Market Plan Area bounded by Market Street on the north, Townsend Street on the south, 2nd Street on the east, and 6th Street on the west, for 45 days; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the eight priority policies of Planning Code, Section 101.1.

Rick Caldeira, Legislative Deputy, indicated that due to the urgent nature of this Ordinance, pursuant to Government Code, Section 36934, the action to be considered by the Board of Supervisors on this matter shall be 'Finally Passed.'

Ordinance No. 210-14

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; expressed concerns relating to police cameras.
Christopher Dahl; expressed concerns relating to rising sea levels.
John DiDonna; expressed concerns relating to restrooms in Muni stations.
Charles Melancon; expressed various concerns relating to work and evictions.
Male Speaker; expressed various religious concerns.
Tom Gilberty; expressed various concerns relating to tenancies in common.
Peter Warfield; expressed concerns relating to privacy and confidentiality on the internet.
Jackee Bryson; expressed concerns relating to meetings and noticing.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

141008 [Urging the Successful Resolution of Negotiations between the San Francisco Unified School District and the United Educators of San Francisco]

Sponsors: Mar; Campos, Cohen and Avalos

Resolution urging the successful resolution of negotiations between the San Francisco Unified School District and the United Educators of San Francisco to avoid a strike and an interruption to the education of San Francisco's students.

REFERRED to the Neighborhood Services and Safety Committee

141009 [Concurring in the Second Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]

Motion concurring in the "Rim Fire" Second Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

Motion No. M14-165

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

130412 [Public Works Code - Installation of Communications Infrastructure in Excavation Projects]

Sponsors: Chiu; Wiener and Cohen

Ordinance amending the Public Works Code to require the installation of City-owned communications infrastructure in excavation projects where the City has determined that it is both financially feasible and consistent with the City's long-term goals to develop the City's communications infrastructure.

(9/30/14 - Supervisor Chiu submitted a substitute ordinance bearing new title.)

05/07/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

05/31/13; REFERRED TO DEPARTMENT.

06/02/14; REMAIN ACTIVE.

09/30/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

140804 **[Planning Code - Arcades in the Haight Street Neighborhood Commercial District]**

Sponsors: Breed; Wiener and Kim

Ordinance amending the Planning Code to permit arcades in the Haight Street Neighborhood Commercial District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

07/15/14; ASSIGNED to Land Use and Economic Development Committee.

07/28/14; REFERRED TO DEPARTMENT.

07/31/14; RESPONSE RECEIVED.

09/19/14; RESPONSE RECEIVED.

09/30/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

140805 **[Administrative, Environment Codes - Clean Construction Ordinance Updates]**

Sponsor: Cohen

Ordinance amending the Environment Code to require a Construction Emissions Minimization Plan and monitoring for certain public works projects within an Air Pollutant Exposure Zone and to require controls on emission-producing equipment used for public works projects outside of such zones; and amending the Administrative Code to incorporate these requirements in construction contracts where applicable; and making environmental findings.

(Fiscal Impact; No Budget and Legislative Analyst Report)

07/15/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/14/2014.

07/28/14; REFERRED TO DEPARTMENT.

07/31/14; RESPONSE RECEIVED.

09/30/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

141023 **[Development Agreement - 181 Fremont Street, LLC - 181 Fremont Street - Transbay Redevelopment Project Area]**

Sponsors: Mayor; Kim

Ordinance approving a Development Agreement between the City and County of San Francisco and 181 Fremont Street, LLC, for certain real property, known as 181 Fremont Street, located in the Transbay Redevelopment Project Area, consisting of two parcels located on the east side of Fremont Street, between Mission and Howard Streets; making findings of conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b); and waiving certain provisions of Administrative Code, Chapter 56, and Planning Code, Section 249.28.

09/30/14; ASSIGNED to Land Use and Economic Development Committee.

141024 **[Police Code - Fair Scheduling and Treatment of Formula Retail Employees]**

Sponsors: Chiu; Mar

Ordinance amending the Police Code to require Formula Retail Establishments to provide employees with two weeks' notice of work schedules, notice of changes to work schedules, and compensation for schedule changes made on less than seven days' notice and unused on-call shifts, and provide part-time employees with the same starting rate of hourly pay, access to time off, and eligibility for promotions as that provided to full-time employees.

(Economic Impact)

09/30/14; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 10/30/2014.

Resolutions

141022 [Consent to Provisions of a Variation Decision - On-Site Affordable Housing Requirement - 181 Fremont Street - Transbay Redevelopment Project Area]

Sponsor: Kim

Resolution of the Board of Supervisors, acting in its capacity as the legislative body to the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, approving provisions of a variation decision by the Commission on Community Investment and Infrastructure, modifying the on-site affordable housing requirement for 181 Fremont Street in the Transbay Redevelopment Project Area.

09/30/14; RECEIVED AND ASSIGNED to Board of Supervisors.

141025 [Apply for Grant - Continuum of Care Program - Not to Exceed $27,000,000]

Sponsor: Mayor

Resolution approving the 2014 Grant Application for the United States Department of Housing and Urban Development Continuum of Care Program with an amount not to exceed $27,000,000; and fulfilling the Board of Supervisors review and approval process for all annual or otherwise recurring grants of $5,000,000 or more.

09/30/14; ASSIGNED to Budget and Finance Committee.

141026 [Domestic Violence Awareness Month - October 2014]

Sponsors: Chiu; Tang and Mar

Resolution declaring October 2014 as Domestic Violence Awareness Month in the City and County of San Francisco.

09/30/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141027 [Monique Zmuda Day - October 18, 2014]

Sponsors: Chiu; Tang and Mar

Resolution commending and honoring Monique Zmuda, Deputy Controller, for her distinguished service to the residents of the City and County of San Francisco upon the occasion of her retirement, and declaring October 18, 2014, as Monique Zmuda Day in the City and County of San Francisco.

09/30/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

141028 [Closed Session - Anticipated Litigation - Establishing a Homeownership Stabilization Authority]

Sponsor: Farrell

Motion that the Board of Supervisors convene in closed session on October 7, 2014, for the purpose of conferring with or receiving advice from the City Attorney regarding anticipated litigation relating to the potential negotiation or adoption of a Joint Powers Agreement with the City of Richmond to establish a Homeownership Stabilization Authority to assist homeowners with troubled mortgages, in which the City is a potential defendant; pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(2), which permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in anticipated litigation.

09/30/14; RECEIVED AND ASSIGNED to Board of Supervisors.

Requests for Hearing

141029 [Hearing - Mayor's Housing Working Group]

Sponsor: Breed

Hearing requesting the Mayor's Office of Housing and Community Development, the Office of Economic and Workforce Development, and the Planning Department to report on the efforts of the Mayor's Housing Working Group and evaluate how they will improve the relationship between market rate and affordable housing and track regional housing achievements.

09/30/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

141030 [Hearing - Street Tree Relinquishment Program]

Sponsors: Wiener; Chiu and Cohen

Hearing requesting the Department of Public Works to provide a status report on San Francisco's ongoing program to transfer ownership of all street trees from the City to private property owners.

09/30/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED RESOLUTIONS

140977 [Airport Professional Services Agreement Modification - TransCore, LP - Ground Transportation and Taxi Management System - Not to Exceed $10,892,674]

Resolution approving Modification No. 1 to Professional Services Agreement, Airport Contract 8841R, to design, develop, install, and maintain an integrated Ground Transportation and Taxi Management System between TransCore, LP, and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed $10,892,674 pursuant to Charter, Section 9.118(b), and extending the term for one year through June 30, 2016. (Airport Commission)

(Fiscal Impact; No Budget and Legislative Analyst Report)

09/15/14; RECEIVED FROM DEPARTMENT.

09/30/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140978 [Agreement Amendments - Crestwood Behavioral Health Services and Mental Health Management, Inc. dba Canyon Manor - $117,451,707]

Resolution approving amendments to each of two agreements for long term mental health services in 24-hour locked facilities between the Department of Public Health and Crestwood Behavioral Health Services, by $34,488,709 from $51,728,151 to $86,216,860; Mental Health Management I, Inc., dba Canyon Manor, by $4,704,300 from $26,530,547 to $31,234,847 for a combined increase of $117,451,707 with an extension of the term for three years and eight months, for a total contract term of October 1, 2008, through June 30, 2018. (Public Health Department)

(Fiscal Impact; No Budget and Legislative Analyst Report)

09/15/14; RECEIVED FROM DEPARTMENT.

09/30/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140989 [Support Goals for Federal Funding - Community Development Block Grant, Emergency Solutions Grant and Housing Opportunities for Persons With AIDS Programs - FY2015-2016]

Resolution supporting FY2015-2016 Community Development Block Grant, Emergency Solutions Grant, and Housing Opportunities for Persons With AIDS Consolidated Plan Goals. (Mayor's Office of Housing)

09/19/14; RECEIVED FROM DEPARTMENT.

09/30/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140997 [Real Property Leases - Multiple Landlords - Communications Services Facilities in Multiple Locations - $90,500 Total Annual Initial Year Base Rent]

Resolution authorizing the General Manager of the Public Utilities Commission to enter into: 1) a new communications site lease with Communication and Control, Inc., as Landlord for existing and new microwave communications antennas, radio communications, and other general telecommunications facilities on Alameda County Assessor's Parcel No. 096-0090-005-007 for a term up to 25 years at an initial rent of approximately $57,000 with 3% annual rent increases; 2) a new amendment to an existing communications site sublease with Communication and Control, Inc., as sublandlord for existing and new microwave communications, radio communications, and other general telecommunications facilities on Contra Costa County Assessor's Parcel No. 006-070-021 for a term up to 25 years at an initial rent of approximately $14,900 with 3% annual rent increases; 3) a license with Tri-Star Investors Inc., as Landlord for new microwave communications antennas, radio communications, and other general telecommunications facilities on a portion of Stanislaus County Assessor's Parcel No. 081-012-004-000 for a term up to 25 years at an initial rent of approximately $18,600 with 3% annual rent increases, for a combined total amount of $90,500 annual initial year base rent; and 4) adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code, Chapter 31. (Public Utilities Commission)

09/22/14; RECEIVED FROM DEPARTMENT.

09/30/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriam

Grantland Johnson - Supervisors Cohen and Mar

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:48 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 4, 2014.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, October 7, 2014 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

APR - 9 2015

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DAVID CHIU, PRESIDENT
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MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang, Chiu	2nd and 4th Thursday 11:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Volume 109 Number 33

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:12 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Cohen, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of September 2, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Rules Committee

140845 [Settlement of Lawsuit - Earl Brown Sr., Helen Brown, and the Estate of Earl Brown Jr. - $175,000]

Ordinance authorizing settlement of the lawsuit filed by Earl Brown Sr., Helen Brown, and the Estate of Earl Brown Jr., against the City and County of San Francisco for $175,000; the lawsuit was filed on May 2, 2011, in United States District Court, Case No. C11-02162 LB; entitled Earl Brown Sr., Helen Brown, and the Estate of Earl Brown Jr. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 212-14

FINALLY PASSED

140892 [Settlement of Lawsuit - Margarita Herrera - $475,000]
Ordinance authorizing settlement of the lawsuit filed by Margarita Herrera against the City and County of San Francisco for $475,000; the lawsuit was filed on June 5, 2013, in San Francisco Superior Court, Case No. CGC 13-531901; entitled Herrera v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 213-14

FINALLY PASSED

140904 [Settlement of Lawsuit - Justin Neisuler - $63,000]
Ordinance authorizing settlement of the lawsuit filed by Justin Neisuler against the City and County of San Francisco for $63,000; the lawsuit was filed on December 4, 2012, in San Francisco Superior Court, Case No. CGC-12-526598; entitled Justin Neisuler v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 214-14

FINALLY PASSED

140905 [Settlement of Lawsuit - Sean Alexander Hold - $210,000]
Ordinance authorizing settlement of the lawsuit filed by Sean Alexander Hold against the City and County of San Francisco for $210,000; the lawsuit was filed on December 16, 2013, in the United States District Court for the Northern District of California, Case No. C13-5814 CW; entitled Sean Alexander Hold v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 215-14

FINALLY PASSED

140906 [Settlement of Lawsuit - Eduardo Alegrett - $285,000]
Ordinance authorizing settlement of the lawsuit filed by Eduardo Alegrett against the City and County of San Francisco for $285,000; the lawsuit was filed on October 29, 2012, in the United States District Court for the Northern District of California, Case No. C-12-5538-MEJ; entitled Eduardo Alegrett v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 216-14

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the Consent Agenda

Supervisor Cohen requested that File No. 140857 be severed so that it may be considered separately.

Recommendation of the Land Use and Economic Development Committee

140857 [Supporting and Encouraging the Development of a Policy to Prohibit the Transportation and Export of Hazardous Materials]

Sponsors: Cohen; Wiener, Mar, Campos and Avalos

Resolution supporting and encouraging the Department of the Environment and the Port in developing a policy to prohibit the transportation and export of hazardous fossil fuel materials including crude oil, coal, and petroleum coke in the City and County of San Francisco.

Supervisors Mar, Campos, and Avalos requested to be added as co-sponsors.

Resolution No. 386-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

140854 [Administrative Code - Film Production Fees and Notice Requirements]

Sponsor: Cohen

Ordinance amending the Administrative Code to add "web series" to the schedule of film production use fees and to establish notice requirements to affected residents and businesses for film productions that will result in parking or traffic obstructions lasting four consecutive hours or more.

Ordinance No. 211-14

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

140928 [Contract Amendment - AnsaldoBreda, Inc. - Light Rail Vehicle Reconditioning and Systems Rehabilitation - Not to Exceed - $74,649,614]

Sponsor: Wiener

Resolution approving Amendment No. 2 to Contract No. APT 591.01, LRV Doors and Steps Reconditioning and Systems Rehabilitation, between the City and County of San Francisco, through the Municipal Transportation Agency, and AnsaldoBreda, Inc., to remove the doors and steps and air supply unit work from the project scope and shift the balance of the money to rehabilitate the trucks of 41 LRVs, with three options to rehabilitate the trucks of 24, 24 and 23 LRVs, respectively, if funds become available, for a total contract amount not to exceed $74,649,614.
(Fiscal Impact)

Resolution No. 382-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141007 [Multifamily Housing Revenue Bonds - 588 Mission Bay Boulevard North (aka, Mission Bay South Block 7 West) - Not to Exceed $60,000,000]

Sponsor: Kim

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $60,000,000 for 588 Mission Bay Boulevard North (also known as, Mission Bay South Block 7 West); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $60,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein and the Application, as defined herein.

Resolution No. 387-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

140381 [Administrative, Planning Codes - Amending Regulation of Short-Term Residential Rentals and Establishing Fee]

Sponsor: Chiu

Ordinance amending the Administrative Code to provide an exception for permanent residents to the prohibition on short-term residential rentals under certain conditions; to create procedures, including a registry administered by the Planning Department, for tracking short-term residential rentals and compliance; to establish an application fee for the registry; amending the Planning Code to clarify that short-term residential rentals shall not change a unit's type as residential; and making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Privilege of the floor was granted to Jon Givner and Marlena Byrne, Deputy City Attorneys, and Rosemary Bosque (Department of Building Inspection), and Scott Sanchez (Planning Department) who responded to questions raised throughout the discussion.

Supervisor Chiu, seconded by Supervisor Wiener, moved that this Ordinance be AMENDED by making amendments relating to clerical corrections, clarifying the types of Home Owners Associations considered Interested Parties, and clarifying enforcement against Hosting Platforms, as offered by Jon Givner, Deputy City Attorney. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Chiu, seconded by Supervisor Breed, moved that this Ordinance be AMENDED by clarifying the private right of action in section 41A.5(d), as offered by Marlena Byrne, Deputy City Attorney. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Breed, seconded by Supervisor Chiu, moved that this Ordinance be AMENDED in Section 41A.6 establishing time frame for Planning Department to inform a complainant that it has found no violation. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Farrell, seconded by Supervisor Wiener, moved that this Ordinance be AMENDED in Section 41A.4 by adding Owner to the definition of Interested Party and clarifying the types of Home Owners Associations considered Interested Parties. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Yee proposed an amendment to exclude short term rentals in RH-1 and RH-1(D) districts. The motion died due to a lack of a second.

Supervisor Yee, seconded by Supervisor Mar, moved that this Ordinance be AMENDED in Section 41A.5(g)(2) limiting short term rentals to 90 days and adding other restrictions for residential units located in RH-1(D) zoning districts. The motion FAILED by the following vote:

Ayes: 5 - Avalos, Campos, Kim, Mar, Yee
Noes: 6 - Breed, Chiu, Cohen, Farrell, Tang, Wiener

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED in Section 41A.5 relating to date for determining adequacy of fees. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Ordinance amending the Administrative Code to provide an exception for permanent residents to the prohibition on short-term residential rentals under certain conditions; to create procedures, including a registry administered by the Planning Department, for tracking short-term residential rentals and compliance; to establish an application fee for the registry; amending the Planning Code to clarify that short-term residential rentals shall not change a unit's type as residential; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Supervisor Wiener, seconded by Supervisor Yee, moved that this Ordinance be AMENDED in Section 41A.5 relating to mailed notices to any directly associated Home Owner Association that has previously requested such notice in RH-1(D) zoning districts. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Avalos, seconded by Supervisor Mar, moved that this Ordinance be AMENDED in Section 41A.5 allowing short term rentals no more than 90 days per year. The motion FAILED by the following vote:

Ayes: 5 - Avalos, Campos, Kim, Mar, Yee
Noes: 6 - Breed, Chiu, Cohen, Farrell, Tang, Wiener

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 7 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener
Noes: 4 - Avalos, Campos, Mar, Yee

DUPLICATED AS AMENDED. See File No. 141036.

141036 [Administrative, Planning Codes - Amending Regulation of Short-Term Residential Rentals and Establishing Fee]

Ordinance amending the Administrative Code to provide an exception for permanent residents to the prohibition on short-term residential rentals under certain conditions; to create procedures, including a registry administered by the Planning Department, for tracking short-term residential rentals and compliance; to establish an application fee for the registry; amending the Planning Code to clarify that short-term residential rentals shall not change a unit's type as residential; and making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Duplicated as Amended from File No. 140381.

Supervisor Mar, seconded by Supervisor Campos, moved that this Ordinance be AMENDED in Section 41A.4 prohibiting short term rentals in legal in law units. The motion FAILED by the following vote:

Ayes: 5 - Avalos, Campos, Kim, Mar, Yee
Noes: 6 - Breed, Chiu, Cohen, Farrell, Tang, Wiener

Supervisor Mar, seconded by Supervisor Yee, moved that this Ordinance be AMENDED relating to short term rentals in subsidized affordable units. Supervisor Mar withdrew the motion.

Supervisor Kim, seconded by Supervisor Campos, moved that this Ordinance be AMENDED in Section 41A.5(d) relating to ability of certain non-profit organizations to bring civil actions regarding violations in rent controlled units. The motion carried by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Yee
Noes: 3 - Farrell, Tang, Wiener

Supervisor Campos, seconded by Supervisor Avalos, moved that this Ordinance be AMENDED in Section 41A.5 making the ordinance operative only after certification by the Treasurer/Tax Collector that all Hosting Platforms have remitted all Transient Occupancy Taxes due and payable. The motion FAILED by the following vote:

Ayes: 5 - Avalos, Campos, Kim, Mar, Yee
Noes: 6 - Breed, Chiu, Cohen, Farrell, Tang, Wiener

Supervisor Campos, seconded by Supervisor Breed, moved that this Ordinance be AMENDED in Section 41A.4(d) by prohibiting short term rentals in certain units that have been the subject of an eviction under the Ellis Act. The motion carried by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Cohen, Kim, Mar, Wiener, Yee
Noes: 3 - Chiu, Farrell, Tang

Supervisor Breed, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED in Section 41A.5(d) relating to ability of certain non-profit organizations to bring civil actions regarding violations in certain units that have been the subject of an eviction under the Ellis Act. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Ordinance amending the Administrative Code to provide an exception for permanent residents to the prohibition on short-term residential rentals under certain conditions; to create procedures, including a registry administered by the Planning Department, for tracking short-term residential rentals and compliance; to establish an application fee for the registry; amending the Planning Code to clarify that short-term residential rentals shall not change a unit's type as residential; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.

Supervisor Chiu, seconded by Supervisor Cohen, moved that this Ordinance be RE-REFERRED AS AMENDED to the Land Use and Economic Development Committee. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140775 [Planning Code - Amending Definition of Residential Unit and Residential Conversion Requirements]

Sponsor: Avalos

Ordinance amending the Planning Code to amend the definition of Residential Unit and clarify the requirements for a Residential Conversion of a Residential Hotel Unit regulated under Administrative Code, Chapter 41; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Chiu, seconded by Supervisor Avalos, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to Monique Zmuda, Deputy Controller, in recognition of 37 years of distinction, professionalism, and dedication to the City and County of San Francisco upon her retirement Supervisors Avalos, Tang, Farrell, Campos, Wiener, Angela Calvillo, Clerk of the Board, and Ben Rosenfield, Controller, shared in this commendation.

Privilege of the floor was granted to Monique Zmuda and Ben Rosenfield into the well for a photograph, this privilege was approved without objection.

COMMITTEE REPORTS

Recommendations of the Neighborhood Services and Safety Committee

140240 [Liquor License Transfer - 186-2nd Street]
Resolution determining that the transfer of a Type 21 off-sale general license from 500 Precita Avenue to 186-2nd Street (District 6), to Oussama Manaa for SoMa Restaurant Group, Inc., dba Soma Eats, will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

Resolution No. 383-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140464 [Liquor License - 2200B Market Street]
Resolution determining that the issuance of a Type-42 on-sale beer and wine public premises license to Tiffny Vergara Chung for Project 22, dba Brewcade, located at 2200B Market Street (District 8), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

Resolution No. 384-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140797 [Liquor License Transfer - 601 Van Ness Avenue]
Resolution determining that the transfer of a Type 21 off-sale general license from 4686 18th Street to 601 Van Ness Avenue (District 5), to Salma Suleyman for Opera Plaza Deli and Taqueria, will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

Resolution No. 385-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140916 **[Liquor License Transfer - 1607 20th Street]**
Resolution determining that the transfer of a Type 21 on-sale general license from 698 Vermont Street to 1607 20th Street (District 10), to Khaled Ghanma for All States Best Foods, will serve the public convenience or necessity of City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

Resolution No. 381-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Rules Committee

Supervisor Breed Excused from Voting

Supervisor Campos, seconded by Supervisor Farrell, moved that Supervisor Breed be excused from voting on File No.141012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Breed

141012 **[Appointment, Committee on City Workforce Alignment - Supervisor London Breed]**
Motion appointing Supervisor London Breed to the Committee on City Workforce Alignment, for an indefinite term. (Clerk of the Board)

Motion No. M14-166

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Breed

Recommendation of the Land Use and Economic Development Committee

140952 **[Administrative Code - Better Streets Policy - Including the National Association of City Transportation Officials Urban Design Guides]**
Sponsor: Wiener
Ordinance amending the Administrative Code to include the National Association of City Transportation Officials Urban Street Design Guide and Urban Bikeway Design Guide as an additional reference in City transportation planning and design projects and programs.

Supervisor Mar requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Dale Seymour; expressed various concerns relating to the Tenderloin.
Ray Hartz (San Francisco Open Government); expressed various concerns relating to the Sunshine Ordinance, public records act, and general public comment.
Male Speaker; shared in poem certain concerns with the Board.
Male Speaker; expressed various concerns relating to toxic materials in athletic fields.
Male Speaker; expressed various religious concerns.
Kate Bernier; expressed various concerns relating to spraying of pesticides.
Roberto Traina; expressed various concerns relating to spraying of pesticides.
Resident No. 1; expressed various concerns relating to harassment and retaliation for the blind community.
Resident No. 2; expressed various concerns relating to harassment and retaliation for the blind community.
Tom Gilberty; expressed various concerns relating to property sales and taxes.
Larry Edmund Juizye; expressed various concerns relating to housing and domestic violence.
Jackie Bryson; expressed concerns relating to non-profit meetings within the Administrative Code.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation

141028 [Closed Session - Anticipated Litigation - Establishing a Homeownership Stabilization Authority]

Sponsor: Farrell

Motion that the Board of Supervisors convene in closed session on October 7, 2014, for the purpose of conferring with or receiving advice from the City Attorney regarding anticipated litigation relating to the potential negotiation or adoption of a Joint Powers Agreement with the City of Richmond to establish a Homeownership Stabilization Authority to assist homeowners with troubled mortgages, in which the City is a potential defendant; pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(2), which permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in anticipated litigation.

Supervisor Avalos, seconded by Supervisor Farrell, moved that this Motion be AMENDED to change the date from 'October 7, 2014,' to 'October 21, 2014.' The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Motion that the Board of Supervisors convene in closed session on October 21, 2014, for the purpose of conferring with or receiving advice from the City Attorney regarding anticipated litigation relating to the potential negotiation or adoption of a Joint Powers Agreement with the City of Richmond to establish a Homeownership Stabilization Authority to assist homeowners with troubled mortgages, in which the City is a potential defendant; pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(2), which permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in anticipated litigation.

The President inquired as to whether any member of the public wished to address the Board regarding the proposed continuance to October 21, 2014. There were no speakers. The President declared public comment closed.

Supervisor Avalos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED AS AMENDED to October 21, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Referred Without Recommendation from the Budget and Finance Committee

140709 [Studying a Homeownership Stabilization Authority and Other Approaches to Assist Homeowners with Troubled Mortgages]

Sponsors: Avalos; Campos, Mar and Kim

Resolution authorizing negotiation of a Joint Powers Agreement with the City of Richmond to establish a Homeownership Stabilization Authority to assist homeowners with troubled mortgages.

Supervisor Avalos, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to October 21, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

141026 [Domestic Violence Awareness Month - October 2014]

Sponsors: Chiu; Tang and Mar

Resolution declaring October 2014 as Domestic Violence Awareness Month in the City and County of San Francisco.

Supervisors Tang and Mar requested to be added as co-sponsors.

Resolution No. 388-14

ADOPTED

141027 [Monique Zmuda Day - October 18, 2014]

Sponsors: Chiu; Tang and Mar

Resolution commending and honoring Monique Zmuda, Deputy Controller, for her distinguished service to the residents of the City and County of San Francisco upon the occasion of her retirement, and declaring October 18, 2014, as Monique Zmuda Day in the City and County of San Francisco.

Supervisors Tang and Mar requested to be added as co-sponsors.

Resolution No. 389-14

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

141037 [Administrative Code - Financial Policy Regarding General Reserve Fund]

Sponsors: Mayor; Chiu and Farrell

Ordinance amending the Administrative Code to revise the binding financial policy under Charter, Section 9.120, regarding a general reserve and required funding levels, and to update provisions regarding the Rainy Day Reserve Fund.
(Fiscal Impact; No Budget and Legislative Analyst Report)

10/07/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/6/2014.

141038 [Administrative Code - Legacy Business Registry, Rebate Program, and Establishing Fees]

Sponsors: Campos; Farrell

Ordinance amending the Administrative Code to direct the Small Business Commission to establish a Legacy Business Registry, authorize an administrative fee for the Registry not to exceed $50, and, for the next five years, provide a rebate to Qualified Legacy Businesses that purchase the real property from which they operate and to Qualified Landlords that purchase the real property from which Legacy Businesses operate if the purchaser extends the term of the Legacy Business's lease by at least ten years, in an amount equal to the transfer tax levied on the purchase.
(Fiscal Impact; No Budget and Legislative Analyst Report)

10/07/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/6/2014.

Resolutions

141039 [Accept and Expend Grant - Herz Playground Improvements - A. Ruiz Construction Company and Associates, Inc. - $117,000]

Sponsor: Cohen

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant of $117,000 from A. Ruiz Construction Company and Associates, Inc., for improvements to the pathways at Herz Playground for the period of May 15, 2014, through May 31, 2014.

10/07/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141040 [Accept and Expend Grant - Herz Playground Improvements - O.C. Jones and Sons, Inc. - $248,000]

Sponsor: Cohen

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant of $248,000 from O.C. Jones and Sons, Inc., for the renovation of the baseball diamond at Herz Playground for the period of March 26, 2014, through May 31, 2014.

10/07/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141041 [Fisherman's Wharf, and Fisherman's Wharf Portside Community Benefit Districts - Annual Reports to the City - FYs 2009-2013]

Sponsor: Chiu

Resolution receiving and approving annual reports for the Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District for FYs 2009-2013, submitted as required by the Property and Business Improvement District Law of 1994, Section 36650 (California Streets and Highways Code, Sections 36600, et seq.), and the Districts' management contracts with the City.

10/07/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

141042 [San Francisco Children’s Outdoor Bill of Rights - October 18, 2014]

Sponsor: Farrell

Resolution recognizing the inauguration of the San Francisco Children’s Outdoor Bill of Rights, as detailed in this Resolution, on October 18, 2014.

10/07/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141043 [Ernest “Ernie” Garduno Day - October 15, 2014]

Sponsor: Farrell

Resolution declaring October 15, 2014, as Ernest “Ernie” Garduno Day in the City and County of San Francisco.

10/07/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141044 **[Free and Safe Passage of Whales and Dolphins in San Francisco's Coastal Waters]**

Sponsor: Wiener

Resolution supporting the free and safe passage of whales and dolphins in San Francisco's coastal waters, San Francisco Bay, and its estuaries.

10/07/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED RESOLUTIONS

141013 **[Airport Concession Domestic Terminal Food and Beverage Lease Amendment - Emporio Rulli, Inc. - $120,031 Minimum Annual Guarantee]**

Resolution retroactively approving Amendment No. 1 to the Domestic Terminal Food and Beverage Lease No. 03-0201 between Emporio Rulli, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, with a Minimum Annual Guarantee of $120,031 for the lease term through November 18, 2018. (Airport Commission)

09/22/14; RECEIVED FROM DEPARTMENT.

10/07/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141014 **[Construction Management Services Agreement Modification - Jacobs Project Management, Co. - General Hospital Rebuild Program - Not to Exceed $20,813,950]**

Resolution authorizing the Director of Public Works to execute Modification No. 6 to a professional construction management services agreement with Jacobs Project Management, Co., for the General Hospital Rebuild Program, and increasing the contract not to exceed amount from $16,400,000 to $20,874,706. (Public Works)
(Fiscal Impact)

09/26/14; RECEIVED FROM DEPARTMENT.

10/07/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141015 **[Settlement of Grievance - Wah Eng - $67,436.01]**

Resolution approving settlement of the unlitigated grievance (ERD No. 02-12-2541) of Wah Eng against the City and County of San Francisco for $67,436.01; Service Employees International Union, Local 1021, notified the City of the grievance entitled Grievance of Wah Eng on or before July 9, 2012. (City Attorney)

09/29/14; RECEIVED FROM DEPARTMENT.

10/07/14; RECEIVED AND ASSIGNED to Rules Committee.

141016 [Settlement of Claim - SF Third Street Equity Partners, LLC - $103,232.10]
Resolution approving the settlement of the unlitigated claim filed on July 9, 2014, by SF Third Street Equity Partners, LLC, against the City and County of San Francisco for $103,232.10. (City Attorney)

09/29/14; RECEIVED FROM DEPARTMENT.

10/07/14; RECEIVED AND ASSIGNED to Rules Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:27 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 18, 2014.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, October 21, 2014 - 2:00 PM

GOVERNMENT
DOCUMENTS DEPT

APR - 9 2015

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang, Chiu	2nd and 4th Thursday 11:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Volume 109 Number 34

Members Present: John Avalos, London Breed, David Campos, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of September 9, 2014, and September 16, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

141045 [Formal Policy Discussions - October 21, 2014]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible question submitted from the Supervisor representing District 5. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. As we have all now seen in the news, and some San Franciscans have unfortunately experienced personally, we have a crisis in our Fire Department's ambulance system.

The Department is out of compliance with the service level it is obligated to provide under its "Exclusive Operating Area" with the state. It is also failing to meet its own standards for ambulance response times. The City aims to have ambulances on the scene of emergencies within 10 minutes 90% of the time. In July and August the Fire Department's actual response was almost 50% longer than that. There were 374 occasions when it took more than 20 minutes for an ambulance to arrive-in August alone. "Medic-to-follow" calls, when the Fire Department literally does not have an ambulance available to send to someone in need, have increased over 500% since 2008, averaging eight times per day in 2013 and spiking dramatically since. Meanwhile, the Board of Supervisors has approved funding for 16 new ambulances in the last several years, and the Fire Department has still not completed the purchase or put a single one into service.

I know you have convened a working group to develop short-, medium-, and long-term measures to address this crisis, and I thank you for inviting me to join that process.

But I and every employee group in the Fire Department have lost faith in the current leadership of the Department. We saw this crisis coming. I held my first hearing on it in January of 2014. Why was this allowed to get so bad, and what are you doing to hold the leadership of the Fire Department accountable? (Supervisor Breed, District 5)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced question. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendations of the Land Use and Economic Development Committee

140775 [Planning Code - Amending Definition of Residential Unit and Residential Conversion Requirements]

Sponsor: Avalos

Ordinance amending the Planning Code to amend the definition of Residential Unit and clarify the requirements for a Residential Conversion of a Residential Hotel Unit regulated under Administrative Code, Chapter 41; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Ordinance No. 219-14

FINALLY PASSED

140952 [Administrative Code - Better Streets Policy - Including the National Association of City Transportation Officials Urban Design Guides]
Sponsors: Wiener; Mar
Ordinance amending the Administrative Code to include the National Association of City Transportation Officials Urban Street Design Guide and Urban Bikeway Design Guide as an additional reference in City transportation planning and design projects and programs.

Ordinance No. 217-14

FINALLY PASSED

Recommendations of the Rules Committee

140965 [Appointment, Commission on Aging Advisory Council - Catherine Russo]
Motion appointing Catherine Russo, term ending March 31, 2016, to the Commission on Aging Advisory Council. (Rules Committee)

Motion No. M14-167

APPROVED

140992 [Appointment, SRO Task Force - Raul Fernandez-Berriozabal]
Motion appointing Raul Fernandez-Berriozabal, term ending December 31, 2015, to the SRO Task Force. (Rules Committee)

Motion No. M14-168

APPROVED

140994 [Appointments, Assessment Appeals Board No. 1 - Diane Robinson and Richard Lee]
Motion appointing Diane Robinson and Richard Lee, terms ending September 4, 2017, to the Assessment Appeals Board No. 1. (Rules Committee)

Motion No. M14-169

APPROVED

140995 [Appointments, Assessment Appeals Board No. 2 - Yosef Tahbazof and Edward Campana]
Motion appointing Yosef Tahbazof, term ending September 5, 2016, and Edward Campana, term ending September 4, 2017, to the Assessment Appeals Board No. 2. (Rules Committee)

Motion No. M14-170

APPROVED

140996 [Appointment, Assessment Appeals Board No. 3 - Anne Ferrel]
Motion appointing Anne Ferrel, term ending September 4, 2017, to the Assessment Appeals Board No. 3. (Rules Committee)

Motion No. M14-171

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

140381 [Administrative, Planning Codes - Amending Regulation of Short-Term Residential Rentals and Establishing Fee]

Sponsor: Chiu

Ordinance amending the Administrative Code to provide an exception for permanent residents to the prohibition on short-term residential rentals under certain conditions; to create procedures, including a registry administered by the Planning Department, for tracking short-term residential rentals and compliance; to establish an application fee for the registry; amending the Planning Code to clarify that short-term residential rentals shall not change a unit's type as residential; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Privilege of the floor was granted to Jon Givner, Deputy City Attorney, who responded to questions raised throughout the discussion.

Supervisor Avalos, seconded by Supervisor Campos, moved that this Ordinance be AMENDED in Administrative Code, Section 41A.5, by allowing short term rentals for no more than 90 days per year. The motion FAILED by the following vote:

Ayes: 5 - Avalos, Campos, Kim, Mar, Yee
Noes: 6 - Breed, Chiu, Cohen, Farrell, Tang, Wiener

Supervisor Campos, seconded by Supervisor Avalos, moved that this Ordinance be AMENDED in Section 4(a-b), by making the ordinance operative only after the certification by the Treasurer/Tax Collector that all Hosting Platforms have remitted all Transient Occupancy Taxes that are due and payable. The motion FAILED by the following vote:

Ayes: 5 - Avalos, Campos, Kim, Mar, Yee
Noes: 6 - Breed, Chiu, Cohen, Farrell, Tang, Wiener

Supervisor Yee proposed an amendment relating to hosting platforms that have paid their taxes. The motion died due to a lack of a second.

Supervisor Yee, seconded by Supervisor Mar, moved that this Ordinance be AMENDED in Section 41A.5(g)(2) by limiting short term rentals to 90 days and adding other restrictions for residential units located in RH-1(D) zoning districts. The motion FAILED by the following vote:

Ayes: 5 - Avalos, Campos, Kim, Mar, Yee
Noes: 6 - Breed, Chiu, Cohen, Farrell, Tang, Wiener

Ordinance No. 218-14

FINALLY PASSED by the following vote:

Ayes: 7 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener
Noes: 4 - Avalos, Campos, Mar, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

140798 [Business and Tax Regulations Code - Amendments to Common Administrative Provisions, Business Registration, Payroll Expense Tax, and Gross Receipts Tax]

Sponsor: Chiu

Ordinance amending the Business and Tax Regulations Code by revising the minimum filing amounts for the payroll expense tax and gross receipts tax and making the amounts consistent with administrative requirements for the small business exemptions; clarifying penalty and interest provisions; clarifying that each member of a combined group engaged in business in San Francisco must register with the Tax Collector; clarifying when annual adjustments must be made to the business registration fee; clarifying the basis of the business registration fee; and deleting obsolete registration provisions.

Supervisor Chiu requested to be added as the sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140874 [Administrative, Subdivision Codes - Tenant Buyout Agreements]

Sponsors: Campos; Avalos, Kim and Mar

Ordinance amending the Administrative Code to require landlords to provide tenants with a disclosure of the tenants' rights before the landlord commences buyout negotiations; to require landlords to file a form with the Rent Board indicating the address of the unit that may become the subject of buyout negotiations; to require all buyout agreements to be in writing and to include certain statements about the tenant's rights; to allow tenants to rescind buyout agreements for up to 45 days after the agreements are fully executed; to require landlords to file a copy of buyout agreements with the Rent Board; to require the Rent Board to create a publically available searchable database of buyout agreements; to require the Rent Board to provide an annual report to the Board of Supervisors regarding tenant buyouts; to authorize tenants to bring civil actions for actual damages and civil penalties against landlords who fail to provide the required disclosures about the tenants' rights; to authorize certain non-profits to bring civil actions for a landlord's failure to file a buyout agreement with the Rent Board; and amending the Subdivision Code to prohibit buildings from entering the condominium conversion lottery if the owners of the building have entered certain tenant buyout agreements.

Supervisor Campos, seconded by Supervisor Kim, moved that this Ordinance be AMENDED on Page 7, Line 12, by changing '52' to '59'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Yee
Noes: 4 - Breed, Farrell, Tang, Wiener

140979 [Park Code - Flexible Pricing at Gleneagles Golf Course; Lease Amendment - Gleneagles Golf Partners, LP - Operation of Gleneagles Golf Course - Percentage of Gross Revenues]

Sponsor: Cohen

Ordinance amending the Park Code to authorize flexible pricing at Gleneagles Golf Course in McLaren Park; approving the amendment and extension of a lease with Gleneagles Golf Partners, LP, for operation of the Gleneagles Golf Course commencing on the effective date of this Ordinance and ending November 30, 2022, for 7% of gross revenues, subject to conditions, incentives, participation rent, and rent credits; and affirming the Planning Department's determination under the California Environmental Quality Act.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140759 [Mental Health Services Act 2014-2017 Integrated Plan]

Resolution adopting the Mental Health Services Act 2014-2017 Integrated Plan. (Public Health Department)

Resolution No. 390-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140848 [Grant Agreement Modifications - Institute on Aging - Not to Exceed $38,993,299]

Sponsor: Mar

Resolution approving the grant agreements between the City and County of San Francisco and the non-profit Institute on Aging to provide Adult Day Health/Adult Day Care, Alzheimer's Day Care Resource Center, Case Management, Center for Elderly Suicide Prevention, Citywide Information and Assistance Supervisor, Clinical Supervision Collaborative, Community Living Fund, Elder Abuse Prevention, Forensic Center, Linkages, and Young Adults with Disabilities Home-Delivered Meals Assessment services to seniors and adults with disabilities during the period of July 1, 2010, to June 30, 2019, for a total not to exceed the amount of $38,993,299.
(Fiscal Impact)

Supervisor Mar requested to be added as the sponsor.

Resolution No. 391-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140907 [Annual Performance Contract Renewal - California Department of Health Care Services - Mental Health Services]

Resolution retroactively approving Performance Contract No. 14-90344 between Community Behavioral Health Services and the Department of Health Care Services, incorporating the Mental Health Services Act, Projects for Assistance in Transition from Homelessness, the Mental Health Plan, and Community Mental Health Services Grant for the period of July 1, 2014, through June 30, 2015. (Public Health Department)
(Fiscal Impact)

Resolution No. 392-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140920 [Lease Disposition and Development Agreement and Lease and Access License - Geneva Office Building and Powerhouse Rehabilitation - Cameron Beach Rail Yard]

Sponsors: Avalos; Farrell and Mar

Resolution approving and authorizing a Lease Disposition and Development Agreement and 55-year Lease and Access License to the Friends of the Geneva Office Building and Powerhouse for the rehabilitation and use of the Geneva Office Building and Powerhouse for Cameron Beach Rail Yard; affirming a community plan exemption determination by the Planning Department and adopting findings pursuant to the California Environmental Quality Act; authorizing the San Francisco Municipal Transportation Agency Director of Transportation, or designee, to execute and make certain modifications to the Access License; and authorizing the General Manager of the Recreation and Park Department, or designee, to execute certain documents, make certain modifications, and take certain actions in furtherance of this Resolution.
(Fiscal Impact)

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 393-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141025 [Apply for Grant - Continuum of Care Program - Not to Exceed $27,000,000]

Sponsor: Mayor

Resolution approving the 2014 Grant Application for the United States Department of Housing and Urban Development Continuum of Care Program with an amount not to exceed $27,000,000; and fulfilling the Board of Supervisors review and approval process for all annual or otherwise recurring grants of $5,000,000 or more.

Resolution No. 394-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Government Audit and Oversight Committee

140247 [Follow-Up Board Response - Civil Grand Jury Report - Deja Vu All Over Again: San Francisco's City Technology Needs a Culture Shock]

Sponsor: Mar

Motion responding to the Civil Grand Jury request to provide a status update on the Board of Supervisors' response to Recommendation No. 13 contained in the 2011-2012 Civil Grand Jury Report, entitled "Deja Vu All Over Again: San Francisco's City Technology Needs a Culture Shock;" and urging the Mayor to cause implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget.

Supervisor Mar requested to be added as the sponsor.

Motion No. M14-172

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

130412 [Public Works Code - Installation of Communications Infrastructure in Excavation Projects]

Sponsors: Chiu; Wiener, Cohen and Mar

Ordinance amending the Public Works Code to require the installation of City-owned communications infrastructure in excavation projects where the City has determined that it is both financially feasible and consistent with the City's long-term goals to develop the City's communications infrastructure.

Supervisor Mar requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140804 [Planning Code - Arcades in the Haight Street Neighborhood Commercial District]

Sponsors: Breed; Wiener and Kim

Ordinance amending the Planning Code to permit arcades in the Haight Street Neighborhood Commercial District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140806 [Health, Building Codes - Ventilation Requirement for Urban Infill Development and Establishing Fees]

Sponsors: Cohen; Kim and Mar

Ordinance amending the Health Code, Article 38, to require an enhanced ventilation system for sensitive use projects within the Air Pollutant Exposure Zone and establishing document review fees; amending the Building Code to correspond to the Health Code changes; making environmental findings, and findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

Supervisor Mar requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Neighborhood Services and Safety Committee

140306 [Health Code - Extending Involuntary Psychiatric Holds]

Ordinance amending the Health Code to authorize the use of an additional 30-day involuntary psychiatric hold, as permitted under California Welfare and Institutions Code, Sections 5270.10-5270.65, and making a finding that this authorization will not result in increased costs to the City or in the reduction of current services. (Human Services Agency)

Supervisor Farrell, seconded by Supervisor Mar, moved that this Ordinance be AMENDED on Page 1, Line 12, by adding 'to' before 'Article 41', and 'a Division I' after 'Article 41'; and Line 15, by adding 'DIVISION I: PSYCHIATRIC HOLDS'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140881 [2014 Hazard Mitigation Plan]

Sponsor: Mayor

Resolution adopting the 2014 City and County of San Francisco Hazard Mitigation Plan.

Resolution No. 395-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee

140990 [Appointments, Sunshine Ordinance Task Force - Pixie (Rishi) Chopra and Fiona Hinze]

Motion appointing Pixie (Rishi) Chopra (residency requirement waived) and Fiona Hinze, terms ending April 27, 2015, to the Sunshine Ordinance Task Force. (Rules Committee)

Motion No. M14-173

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140991 [Appointments, Reentry Council - Joseph Calderon, Dominique Rosa Leslie, Ernest Kirkwood, and Kimberli Courtney]

Motion appointing Joseph Calderon, Dominique Rosa Leslie, Ernest Kirkwood, and Kimberli Courtney, terms ending June 1, 2016, to the Reentry Council. (Clerk of the Board)

Motion No. M14-174

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140993 **[Appointments, Citizen's Advisory Committee for the Central Market Street and Tenderloin Area - John Bogacki and Rob Gitin]**

Motion appointing John Bogacki, term ending August 2, 2015, and Rob Gitin, term ending August 2, 2017, to the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area. (Rules Committee)

Motion No. M14-175

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Avalos, seconded by Supervisor Cohen, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

RESTAURANT APPRECIATION MONTH

Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Restaurant Appreciation Month, their accomplishments, and their continued community support, as referenced below:

Supervisor Avalos recognized Roxie Food Center (1901 San Jose Avenue);
Supervisor Cohen recognized Eat Drink Play (28 Leland Avenue);
Supervisor Campos recognized Louisiana Po-Boy (3030 San Bruno Avenue);
Supervisor Wiener recognized Firefly (4288-24th Street);
Supervisor Yee recognized K's Kitchen (757 Monterey Boulevard);
Supervisor Kim recognized Delancey Street Restaurant (600 Embarcadero) and Crossroads Café (699 Delancey Street);
Supervisor Breed recognized Sheba's Lounge (1419 Fillmore Street);
Supervisor Tang recognized John's Ocean Beach Cafe (2898 Sloat Boulevard);
Supervisor Farrell recognized Delarosa (2175 Chestnut Street);
Supervisor Mar recognized Velo Rouge (798 Arguello Boulevard);
Supervisor Chiu recognized Farm Table (754 Post Street).

Joaquin Torres (Mayor's Office) introduced, welcomed, and presented a Certificate of Honor on behalf of Mayor Lee to 1300 on Fillmore (1300 Fillmore Street) in recognition of Restaurant Appreciation Month.

COMMITTEE REPORTS

Recommendation of the Rules Committee

140975 [Confirming Reappointment, Public Utilities Commission - Anson Moran]
Sponsor: Mayor
Motion confirming the Mayor's reappointment of Anson Moran to the Public Utilities Commission, term ending August 1, 2018.

Motion No. M14-176

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Peter Warfield; spoke in remembrance of Ted Gullickson and expressed concerns regarding full disclosure.
Male Speaker; expressed various religious concerns.
Male Speaker; expressed concerns regarding gang violence.
Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; shared a media clip regarding artificial turf and diseases.
Lauren Maxwell; expressed concerns regarding the preservation of arts.
Male Speaker; expressed concerns regarding the Municipal Transportation Agency.
Trisha Fogleman; expressed concerns regarding domestic violence and politics.
Merrie Jo Musni; expressed concerns regarding domestic violence and politics.
Hilda Perez; expressed concerns regarding domestic violence and politics.
Maria Guillen; expressed concerns regarding domestic violence and politics.
Female Speaker; expressed concerns regarding domestic violence and politics.
Tami Bryant; expressed concerns regarding domestic violence and politics.
Pilar Schiavo; expressed concerns regarding domestic violence and politics.
Jamie Brooks; expressed concerns regarding greenhouse gas disclosures.
Eddie Ahn; expressed support for the introduction of the environmental legislation.
Jeanine Hunter; shared her support of solar energy and legislation on climate change.
Male Speaker; shared his support of the whales and dolphins proposed legislation.
Laura Fisherman; shared her support of the whales and dolphins proposed legislation.
Jackee Bryson; spoke on eviction protection issues.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation

141028 [Closed Session - Anticipated Litigation - Establishing a Homeownership Stabilization Authority]

Sponsor: Farrell

Motion that the Board of Supervisors convene in closed session on October 21, 2014, for the purpose of conferring with or receiving advice from the City Attorney regarding anticipated litigation relating to the potential negotiation or adoption of a Joint Powers Agreement with the City of Richmond to establish a Homeownership Stabilization Authority to assist homeowners with troubled mortgages, in which the City is a potential defendant; pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(2), which permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in anticipated litigation.

Supervisor Avalos, seconded by Supervisor Farrell, moved that this Motion be AMENDED to change the date from 'October 21, 2014', to 'October 28, 2014'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Motion that the Board of Supervisors convene in closed session on October 28, 2014, for the purpose of conferring with or receiving advice from the City Attorney regarding anticipated litigation relating to the potential negotiation or adoption of a Joint Powers Agreement with the City of Richmond to establish a Homeownership Stabilization Authority to assist homeowners with troubled mortgages, in which the City is a potential defendant; pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(2), which permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in anticipated litigation.

The President inquired as to whether any member of the public wished to address the Board regarding the proposed continuance to October 28, 2014. There were no speakers. The President declared public comment closed.

Supervisor Avalos, seconded by Supervisor Campos, moved that this Motion be CONTINUED AS AMENDED to October 28, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Referred Without Recommendation from the Budget and Finance Committee

140709 [Studying a Homeownership Stabilization Authority and Other Approaches to Assist Homeowners with Troubled Mortgages]

Sponsors: Avalos; Campos, Mar and Kim

Resolution authorizing negotiation of a Joint Powers Agreement with the City of Richmond to establish a Homeownership Stabilization Authority to assist homeowners with troubled mortgages.

Supervisor Avalos, seconded by Supervisor Farrell, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Avalos, seconded by Supervisor Campos, moved that this Resolution be CONTINUED AS AMENDED to October 28, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

141043 [Ernest "Ernie" Garduno Day - October 15, 2014]

Sponsor: Farrell

Resolution declaring October 15, 2014, as Ernest "Ernie" Garduno Day in the City and County of San Francisco.

Resolution No. 396-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Farrell requested that File No. 141042 be severed so that it may be considered separately.

141042 [San Francisco Children's Outdoor Bill of Rights - October 18, 2014]

Sponsor: Farrell

Resolution recognizing the inauguration of the San Francisco Children's Outdoor Bill of Rights, as detailed in this Resolution, on October 18, 2014.

Supervisor Farrell requested this matter be REFERRED to the Neighborhood Services and Safety Committee.

Supervisor Wiener requested that File No. 141044 be severed so that it may be considered separately.

141044 [Free and Safe Passage of Whales and Dolphins in San Francisco's Coastal Waters]

Sponsor: Wiener

Resolution supporting the free and safe passage of whales and dolphins in San Francisco's coastal waters, San Francisco Bay, and its estuaries.

Resolution No. 397-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

141093 [Zoning - Interim Moratorium Extension on Production, Distribution, and Repair Conversion in the Proposed Central South of Market Plan Area]

Sponsors: Kim; Avalos, Campos and Mar

Urgency Ordinance approving an extension of the interim zoning moratorium to prohibit the conversion or replacement of Production, Distribution, and Repair uses in the proposed Central South of Market Plan Area bounded by Market Street on the north, Townsend Street on the south, 2nd Street on the east, and 6th Street on the west, for 22 months and 15 days, affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the eight priority policies of Planning Code, Section 101.1.

10/21/14; ASSIGNED to Land Use and Economic Development Committee.

141094 [Environment Code - Greenhouse Gas Information Labels for Gas Pumps]

Sponsors: Avalos; Mar and Breed

Ordinance amending the Environment Code to require service station operators to place labels on gas pumps advising the public of the amount of carbon dioxide generated by burning a gallon of fuel; and making environmental findings.

10/21/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/20/2014.

141095 [Environment Code - Safe Drug Disposal]

Sponsors: Breed; Mar

Ordinance amending the Environment Code to require any person who produces a drug offered for sale in San Francisco to participate in an approved drug stewardship program for the collection and disposal of unwanted drugs from residential sources; to provide for implementation, enforcement, fees, and penalties; and making environmental findings.

10/21/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/20/2014.

141096 [Planning Code - Height Exemptions for Hospitals]

Sponsor: Wiener

Ordinance amending the Planning Code to allow exemptions above the height limit for hospital mechanical equipment in hospitals that are legal non-compliant structures with regard to height; and making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

10/21/14; ASSIGNED to Land Use and Economic Development Committee.

141097 [Administrative Code - Department of Public Health Managed Care Contracts]

Sponsors: Farrell; Chiu and Campos

Ordinance amending the Administrative Code to authorize the Director of Health to enter into managed care contracts for the provision of services to individuals covered under federal and state programs including subsidized health coverage for low income populations.

10/21/14; ASSIGNED to Budget and Finance Committee.

141098 [Health, Business and Tax Regulations Codes - Tobacco Sales Permits and Associated Fees]

Sponsors: Mar; Kim and Wiener

Ordinance amending the Health Code by adding density, proximity, and sales establishment limitations on the granting of new tobacco sales permits, and renumbering all sections in Article 19H; amending the Business and Tax Regulations Code by increasing the annual license and application fees; and making environmental findings.

10/21/14; ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee, expires on 11/20/2014.

Resolutions

141034 [Street Encroachment - Avalon Bay Communities - Hickory Street Frontage of 307-323-325 Octavia Street]

Sponsor: Breed

Resolution granting revocable permission to Avalon Bay Communities to occupy a portion of the public right-of-way to construct and maintain improvements within Hickory Street between Octavia and Laguna Streets fronting 307-323-325 Hickory Street (Assessor's Block No. 0831, Lot No. 023), and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

10/03/14; RECEIVED FROM DEPARTMENT.

10/21/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

141099 [Urging the Fire Commission to Critically Evaluate the Current Leadership of the Fire Department]

Sponsor: Breed

Resolution urging the Fire Commission to critically evaluate the current leadership of the Fire Department (Department) and carefully heed the messages of the Department's employee organizations in light of the ongoing Emergency Medical Services crisis within the Department.

10/21/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

141100 [Accept and Expend Grant - Racial and Ethnic Approaches to Community Health - Heart Healthy SF- $799,159]

Sponsors: Cohen; Mar

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of $799,159 from Centers for Disease Control and Prevention to participate in a program entitled "Racial and Ethnic Approaches to Community Health - Heart Healthy SF" for the period of September 30, 2014, through September 29, 2015.

10/21/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141101 [Multifamily Housing Revenue Note - Hunters View Phase IIA - Not to Exceed $41,000,000]

Sponsor: Cohen

Resolution authorizing the issuance and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed $41,000,000 for the purpose of providing financing for the acquisition and construction of a 107-unit multifamily rental housing project known as Hunters View Phase IIA; approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the forms of and authorizing the execution of certain loan documents; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the note and the project; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters.

10/21/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141102 [Mills Act Historical Property Contract - 68 Pierce Street]

Sponsor: Wiener

Resolution approving a Mills Act historical property contract under Administrative Code, Chapter 71, between Diarmuid R. Russell and Heather Podruchny, the owners of 68 Pierce Street, and the City and County of San Francisco for an initial term of ten years and for an amount to be defined to commence following Board approval; and authorizing the Planning Director and the Assessor to execute the historical property contract.

10/21/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141103 [Mills Act Historical Property Contract - 563-567 Waller Street]

Sponsor: Wiener

Resolution approving a Mills Act historical property contract under Administrative Code, Chapter 71, between Brandon Miller and Jay Zalewski, the owners of 563-567 Waller Street, and the City and County of San Francisco for an initial term of ten years and for an amount to be defined to commence following Board approval; and authorizing the Planning Director and the Assessor to execute the historical property contract.

10/21/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141104 [Mills Act Historical Property Contract - 621 Waller Street]

Sponsor: Wiener

Resolution approving an historical property contract under Administrative Code, Chapter 71, between Renee and Claude Zellweger, the owners of 621 Waller Street, and the City and County of San Francisco for an initial term of ten years and for an amount to be defined to commence following Board approval; and authorizing the Planning Director and the Assessor to execute the historical property contract.

10/21/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141105 [Supporting the Creation of Open Source Voting Systems - Studying New Models of Voting System Development]

Sponsor: Wiener

Resolution committing the City and County of San Francisco to become a member of the California Association of Voting Officials and pledging to join efforts with participating jurisdictions to create new voting systems utilizing free open source software for elections.

10/21/14; RECEIVED AND ASSIGNED to Rules Committee.

141106 [Urging Support for the Right of Workers to Unionize at Le Meridien San Francisco and Hyatt Fisherman's Wharf]

Sponsors: Campos; Mar

Resolution urging the City and County of San Francisco to support the rights of workers to unionize and boycott the Le Meridien San Francisco and Hyatt Fisherman's Wharf.

10/21/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141107 [Solar Vision Goals for San Francisco by 2020]

Sponsors: Chiu; Mar

Resolution urging the City and County of San Francisco to make GoSolarSF a permanent program, to require solar installation on all new construction or substantial retrofits in the City, establishing Solar Vision goals for 2020, and establishing an overall megawatt solar energy goal for the City.

10/21/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141108 [Condemning Anti-Arab and Anti-Muslim Bus Advertisements]

Sponsors: Chiu; Mar

Resolution standing with Muslim and Arab communities in the face of anti-Arab and anti-Muslim bus advertisements.

10/21/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141109 [Urging Support for Reconvening Domestic Violence Death Review Team]

Sponsors: Kim; Cohen, Tang, Breed and Mar

Resolution urging the City and County of San Francisco to support the reconvening of a multidisciplinary Domestic Violence Death Review Team to conduct an in-depth review of domestic violence-related fatalities; make recommendations to strengthen system policies and procedures, if needed; and identify additional prevention strategies to prevent future incidents of domestic violence-related injuries and deaths.

10/21/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141110 [Approval of a 90-Day Extension for Planning Commission Review of an Ordinance Amending the Downtown Support Special Use District; Fees in Lieu of On-Site Open Space (File No. 140877)]

Sponsor: Kim

Resolution extending by 90-days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 140877) amending the Planning Code, Section 247, to allow the Planning Commission to authorize a monetary contribution to satisfy on-site open space requirements; to exclude certain features from floor area ratio and gross floor area calculations; to establish a fund to accept the monetary contributions and provide that the monies deposited shall be used for recreation and open space in the South of Market (SoMa) area; to provide that the SoMa Community Stabilization Fund Community Advisory Committee shall advise on the administration of the fund; affirming the Planning Department's California Environmental Quality Act determination; and making findings consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

10/21/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

141111 [Committee of the Whole - Consent to Provisions of a Variation Decision - October 28, 2014]

Sponsor: Kim

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, acting in its capacity as the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, on October 28, 2014, at 3:00 pm., to hold a public hearing to conditionally consent to the Provisions of a Variation Decision by the Commission on Community Investment and Infrastructure modifying the On-Site Affordable Housing Requirement for 181 Fremont, consisting of two parcels located on the east side of Fremont Street, between Mission and Howard Streets, in the Transbay Redevelopment Project Area.

10/21/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141113 [Zoning - Report on Interim Moratorium on Production, Distribution, and Repair Conversion in the Proposed Central South of Market Plan Area]

Motion adopting the Planning Department's report on the interim zoning moratorium to prohibit the conversion or replacement of Production, Distribution, and Repair uses in the proposed Central South of Market Plan Area bounded by Market Street on the north, Townsend Street on the south, 2nd Street on the east, and 6th Street on the west. (Clerk of the Board)

10/21/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141115 [Concurring in the Second Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area]

Motion concurring in the "Rim Fire" Second Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

10/21/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing

141114 [Hearing - Transbay Transit Center and Downtown Extension Platform Compatibility]

Sponsor: Kim

Hearing requesting presentations from Peninsula Corridor Joint Powers Board (JBP), California High Speed Rail Authority (CHSRA), and Transbay Joint Powers Authority on the issue of platform compatibility, vehicle width, and its impact on the CHSRA program, Caltrain passenger and freight corridor, and the Transbay Transit Center and Downtown Extension including presentations from JPB and CHSRA status on the Request for Proposals for vehicle procurement.

10/21/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCE

141053 [Business and Tax Regulations Code - Parking Stations; Revenue Control Equipment]

Ordinance amending the Business and Tax Regulations Code to authorize methods of electronic payment for parking; reduce parking ticket requirements; increase small lot exemptions; amend valet parking requirements; and clarify revenue control equipment requirements. (Treasurer-Tax Collector)

10/10/14; RECEIVED FROM DEPARTMENT.

10/21/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/20/2014.

PROPOSED RESOLUTIONS

141033 [Real Property Lease - Tenant Improvements - Bayview Plaza, LLC - 3801 Third Street - $373,304 Rent in the Base Year - $865,098 Estimated Improvements Cost]

Resolution authorizing the lease of 15,083 square feet at 3801 Third Street for the Human Services Agency with Bayview Plaza, LLC, merging Suites 200, 205, 210, 230, 235, 240, and adding Suite 220, commencing upon approval by the Board of Supervisors and Mayor, in their respective sole and absolute discretion, at the monthly rent of $39,215.80 during improvements and alterations, and then $41,478.25 per month for five years after substantial completion of the tenant improvements, for a base year's rent total of $373,304; and Construction of Tenant Improvements in an estimated cost to the City of $685,098.10. (Real Estate Department)
(Fiscal Impact)

09/30/14; RECEIVED FROM DEPARTMENT.

10/21/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141035 [Engineering Services Agreement Amendment - URS Corporation - New Irvington Tunnel Project - $14,873,561]

Resolution approving and authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No. 4 to the professional services agreement for the New Irvington Tunnel Project with URS Corporation to increase the amount by $500,000 for a total revised agreement amount of $14,873,561 and extend the agreement term by one year for a total revised agreement term of ten years, through June 30, 2016, pursuant to Charter, Section 9.118. (Public Utilities Commission)
(Fiscal Impact)

10/06/14; RECEIVED FROM DEPARTMENT.

10/21/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:23 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 25, 2014.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, October 28, 2014 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

APR - 9 2015

SAN FRANCISCO
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DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang	2nd and 4th Thursday 11:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Volume 109 Number 35

Members Present: John Avalos, London Breed, David Campos, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Cohen, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of September 23, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

140798 [Business and Tax Regulations Code - Amendments to Common Administrative Provisions, Business Registration, Payroll Expense Tax, and Gross Receipts Tax]
Sponsor: Chiu
Ordinance amending the Business and Tax Regulations Code by revising the minimum filing amounts for the payroll expense tax and gross receipts tax and making the amounts consistent with administrative requirements for the small business exemptions; clarifying penalty and interest provisions; clarifying that each member of a combined group engaged in business in San Francisco must register with the Tax Collector; clarifying when annual adjustments must be made to the business registration fee; clarifying the basis of the business registration fee; and deleting obsolete registration provisions.

Ordinance No. 222-14

FINALLY PASSED

140979 [Park Code - Flexible Pricing at Gleneagles Golf Course; Lease Amendment - Gleneagles Golf Partners, LP - Operation of Gleneagles Golf Course - Percentage of Gross Revenues]

Sponsor: Cohen

Ordinance amending the Park Code to authorize flexible pricing at Gleneagles Golf Course in McLaren Park; approving the amendment and extension of a lease with Gleneagles Golf Partners, LP, for operation of the Gleneagles Golf Course commencing on the effective date of this Ordinance and ending November 30, 2022, for 7% of gross revenues, subject to conditions, incentives, participation rent, and rent credits; and affirming the Planning Department's determination under the California Environmental Quality Act.

Ordinance No. 226-14

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

130412 [Public Works Code - Installation of Communications Infrastructure in Excavation Projects]

Sponsors: Chiu; Wiener, Cohen and Mar

Ordinance amending the Public Works Code to require the installation of City-owned communications infrastructure in excavation projects where the City has determined that it is both financially feasible and consistent with the City's long-term goals to develop the City's communications infrastructure.

Ordinance No. 220-14

FINALLY PASSED

140804 [Planning Code - Arcades in the Haight Street Neighborhood Commercial District]

Sponsors: Breed; Wiener and Kim

Ordinance amending the Planning Code to permit arcades in the Haight Street Neighborhood Commercial District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Ordinance No. 223-14

FINALLY PASSED

140806 [Health, Building Codes - Ventilation Requirement for Urban Infill Development and Establishing Fees]

Sponsors: Cohen; Kim and Mar

Ordinance amending the Health Code, Article 38, to require an enhanced ventilation system for sensitive use projects within the Air Pollutant Exposure Zone and establishing document review fees; amending the Building Code to correspond to the Health Code changes; making environmental findings, and findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

Ordinance No. 224-14

FINALLY PASSED

Recommendations of the Rules Committee

141015 [Settlement of Grievance - Wah Eng - $67,436.01]

Resolution approving settlement of the unlitigated grievance (ERD No. 02-12-2541) of Wah Eng against the City and County of San Francisco for $67,436.01; Service Employees International Union, Local 1021, notified the City of the grievance entitled Grievance of Wah Eng on or before July 9, 2012. (City Attorney)

Resolution No. 409-14

ADOPTED

141016 [Settlement of Claim - SF Third Street Equity Partners, LLC - $103,232.10]

Resolution approving the settlement of the unlitigated claim filed on July 9, 2014, by SF Third Street Equity Partners, LLC, against the City and County of San Francisco for $103,232.10. (City Attorney)

Resolution No. 403-14

ADOPTED

141050 [Appointment, Park, Recreation and Open Space Advisory Committee - Evelyn Fisher]

Motion appointing Evelyn Fisher, term ending February 1, 2017, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)

Motion No. M14-177

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

140874 [Administrative, Subdivision Codes - Tenant Buyout Agreements]

Sponsors: Campos; Avalos, Kim and Mar

Ordinance amending the Administrative Code to require landlords to provide tenants with a disclosure of the tenants' rights before the landlord commences buyout negotiations; to require landlords to file a form with the Rent Board indicating the address of the unit that may become the subject of buyout negotiations; to require all buyout agreements to be in writing and to include certain statements about the tenant's rights; to allow tenants to rescind buyout agreements for up to 45 days after the agreements are fully executed; to require landlords to file a copy of buyout agreements with the Rent Board; to require the Rent Board to create a publically available searchable database of buyout agreements; to require the Rent Board to provide an annual report to the Board of Supervisors regarding tenant buyouts; to authorize tenants to bring civil actions for actual damages and civil penalties against landlords who fail to provide the required disclosures about the tenants' rights; to authorize certain non-profits to bring civil actions for a landlord's failure to file a buyout agreement with the Rent Board; and amending the Subdivision Code to prohibit buildings from entering the condominium conversion lottery if the owners of the building have entered certain tenant buyout agreements.

Ordinance No. 225-14

FINALLY PASSED by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Yee
Noes: 4 - Breed, Farrell, Tang, Wiener

Recommendation of the Neighborhood Services and Safety Committee

140306 [Health Code - Extending Involuntary Psychiatric Holds]

Ordinance amending the Health Code to authorize the use of an additional 30-day involuntary psychiatric hold, as permitted under California Welfare and Institutions Code, Sections 5270.10-5270.65, and making a finding that this authorization will not result in increased costs to the City or in the reduction of current services. (Human Services Agency)

Ordinance No. 221-14

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

141000 [Appropriation - Support for HIV Prevention - Department of Public Health - $301,600 - FY2014-2015]

Sponsors: Campos; Mar, Kim, Avalos and Wiener

Ordinance appropriating $301,600 from the General Fund Reserve to the Department of Public Health in FY 2014-2015, for HIV prevention support for access to PreExposure Prophylaxis medication to assist in the prevention of HIV infection transmission.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Noes: 1 - Tang

140945 [California Environmental Quality Act Findings and Mitigation Agreements - Various Cemeteries and the California Golf Club - Regional Groundwater Storage and Recovery Project]

Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to funding for the Regional Groundwater Storage and Recovery Project; and authorizing the General Manager of the Public Utilities Commission to enter into mitigation agreements with Cypress Lawn Memorial Park Cemetery, Eternal Home Cemetery, Hills of Eternity/Home of Peace/Salem Cemeteries, Holy Cross Catholic Cemetery, Italian Cemetery, Olivet Cemetery, Woodlawn Cemetery, and the California Golf Club for an indefinite term beginning upon execution of the agreements. (Public Utilities Commission)

Resolution No. 400-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140997 [Real Property Leases - Multiple Landlords - Communications Services Facilities in Multiple Locations - $90,500 Total Annual Initial Year Base Rent]

Resolution authorizing the General Manager of the Public Utilities Commission to enter into: 1) a new communications site lease with Communication and Control, Inc., as Landlord for existing and new microwave communications antennas, radio communications, and other general telecommunications facilities on Alameda County Assessor's Parcel No. 096-0090-005-007 for a term up to 25 years at an initial rent of approximately $57,000 with 3% annual rent increases; 2) a new amendment to an existing communications site sublease with Communication and Control, Inc., as sublandlord for existing and new microwave communications, radio communications, and other general telecommunications facilities on Contra Costa County Assessor's Parcel No. 006-070-021 for a term up to 25 years at an initial rent of approximately $14,900 with 3% annual rent increases; 3) a license with Tri-Star Investors Inc., as Landlord for new microwave communications antennas, radio communications, and other general telecommunications facilities on a portion of Stanislaus County Assessor's Parcel No. 081-012-004-000 for a term up to 25 years at an initial rent of approximately $18,600 with 3% annual rent increases, for a combined total amount of $90,500 annual initial year base rent; and 4) adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code, Chapter 31. (Public Utilities Commission)

Resolution No. 401-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

120796 [Planning Code, Zoning Map - Establishing the Divisadero Street Neighborhood Commercial District and Deleting the Divisadero Street Restricted Use District]

Sponsor: Breed

Ordinance amending the Planning Code to establish the Divisadero Street Neighborhood Commercial District (NCD) along Divisadero Street between Haight and O'Farrell Streets, deleting the Divisadero Street Alcohol Restricted Use District (RUD), amending various other Code sections to make conforming and other technical changes, amending the Zoning Map to add the Divisadero Street NCD and deleting the Divisadero Street RUD, affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Supervisor Breed, seconded by Supervisor Cohen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

120814 [Planning Code, Zoning Map - Establishing the Fillmore Street Neighborhood Commercial District]

Sponsor: Breed

Ordinance amending the Planning Code to establish the Fillmore Street Neighborhood Commercial District (NCD) along Fillmore Street between Bush and McAllister Streets; amending various other Code sections to make conforming and other technical changes; amending the Zoning Map to add the Fillmore Street NCD; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Supervisor Breed, seconded by Supervisor Cohen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141006 [Interim Zoning Controls - New Ground Floor Office Uses Facing 2nd Street, from King and Folsom Streets]

Sponsor: Kim

Resolution imposing interim zoning controls requiring conditional use authorization for new office uses facing 2nd Street, from King to Folsom Streets, for eighteen months; and making environmental findings, including findings of consistency with the eight priority policies of Planning Code, Section 101.1.

Resolution No. 402-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Neighborhood Services and Safety Committee

140850 [Liquor License - 507 Columbus Avenue]

Resolution determining that the issuance of a Type 20 off-sale beer and wine license to 507 Columbus Avenue (District 3), to Sayed Jalal Heydari for Alimento Deli, will serve the public convenience or necessity of City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

Resolution No. 399-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee

141051 [Appointment, Entertainment Commission - Demetri Moshoyannis]
Motion appointing Demetri Moshoyannis, term ending July 1, 2017, to the Entertainment Commission. (Rules Committee)

Motion No. M14-178

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141052 [Appointments, Immigrant Rights Commission - Almudena Bernabeu, Haregu Gaime, Bill Hing, Leah Chen Price, and Elahe Enssani]
Motion appointing Almudena Bernabeu, Haregu Gaime (residency requirement waived), Bill Hing, Leah Chen Price, and Elahe Enssani, terms ending June 6, 2016, to the Immigrant Rights Commission. (Rules Committee)

Motion No. M14-179

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:00 P.M.

141018 [Public Hearing - Appeal of Tentative Map - 639 Peralta Avenue]
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated September 18, 2014, approving a Tentative Map for a 2-Unit New Construction Condominium Project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014. (District 9) (Appellant: Alexander M. Weyand, on behalf of William H. Bradley) (Filed September 29, 2014). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Alexander Weyand (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. There were no speakers in support of the appeal. Bruce Storrs, City Surveyor, provided an overview of the decision of Public Works. Dave Dolmen (Project Sponsor) provided an overview of the project and further requested the Board to uphold the decision of Public Works. There were no speakers in support of the project. Alexander Weyand and William Bradley (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED.

Supervisor Campos, seconded by Supervisor Wiener, moved to rescind the previous action, thereby reopening the public hearing. The motion carried by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Campos, seconded by Supervisor Mar, moved that this Hearing be CONTINUED OPEN to December 16, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141019 [Approving Decision of Public Works and Approving the Tentative Parcel Map - 639 Peralta Avenue]

Motion approving decision of Public Works and approving the Tentative Parcel Map for a 2-unit new construction condominium project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014; making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Mar, moved that this Motion be CONTINUED to December 16, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141020 [Disapproving Decision of Public Works and Disapproving the Tentative Parcel Map - 639 Peralta Avenue]

Motion disapproving decision of Public Works and disapproving the Tentative Parcel Map for a 2-unit new construction condominium project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014; making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Mar, moved that this Motion be CONTINUED to December 16, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141021 [Preparation of Findings Related to the Tentative Parcel Map - 639 Peralta Avenue]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 2-unit new construction condominium project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Mar, moved that this Motion be CONTINUED to December 16, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

141112 [Hearing - Consent to Provisions of a Variation Decision - On-Site Affordable Housing Requirement - 181 Fremont Street - Transbay Redevelopment Project Area]

Hearing to consider the proposed Resolution of the Board of Supervisors (File No. 141022), acting in its capacity as the legislative body to the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, approving provisions of a variation decision by the Commission on Community Investment and Infrastructure, modifying the on-site affordable housing requirement for 181 Fremont Street in the Transbay Redevelopment Project Area. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole. Supervisor Kim provided opening remarks. Courtney Pash (Mayor's Office of Community Investment and Infrastructure) provided an overview of the proposed modifications and development agreement and responded to questions raised throughout the discussion. Dale Seymour; spoke in opposition to the modifications and development agreement. Larry Edmund Juizye; Male Speaker; spoke neither in support nor opposition to the modifications and development agreement. Supervisor Kim provided closing remarks. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

141022 [Consent to Provisions of a Variation Decision - On-Site Affordable Housing Requirement - 181 Fremont Street - Transbay Redevelopment Project Area]

Sponsor: Kim

Resolution of the Board of Supervisors, acting in its capacity as the legislative body to the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, approving provisions of a variation decision by the Commission on Community Investment and Infrastructure, modifying the on-site affordable housing requirement for 181 Fremont Street in the Transbay Redevelopment Project Area.

Resolution No. 404-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

141023 [Development Agreement - 181 Fremont Street, LLC - 181 Fremont Street - Transbay Redevelopment Project Area]

Sponsors: Mayor; Kim

Ordinance approving a Development Agreement between the City and County of San Francisco and 181 Fremont Street, LLC, for certain real property, known as 181 Fremont Street, located in the Transbay Redevelopment Project Area, consisting of two parcels located on the east side of Fremont Street, between Mission and Howard Streets; making findings of conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b); and waiving certain provisions of Administrative Code, Chapter 56, and Planning Code, Section 249.28.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Avalos, seconded by Supervisor Kim, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

FILIPINO-AMERICAN HERITAGE MONTH
Supervisor Avalos provided some opening remarks. Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Filipino-American Heritage Month, their accomplishments, and their continued community support as referenced below:

Supervisor Kim recognized Bayanihan Community Center and Dr. Manual Borja; and
Supervisor Breed recognized Chris Punongbayan; and
Supervisor Tang recognized Dick Cerbatos (posthumous); and
Supervisor Chiu recognized Amor Santiago; and
Supervisor Mar recognized Tony Robles; and
Supervisor Farrell recognized Al Perez; and
Supervisor Avalos recognized Filipino Community Center and Pin@y Educational Partnerships; and
Supervisor Cohen recognized Augusto De La Cruz; and
Supervisor Wiener recognized Alied Quijano Paningbatan-Swan; and
Supervisor Campos recognized Carmela Clendening; and
Supervisor Yee recognized Arsenio "Art" Belenson.

COMMITTEE REPORTS

Recommendations of the Neighborhood Services and Safety Committee

141001 [Administrative Code - Requiring City Contractors to Submit an Equal Pay Report and Establishing an Equal Pay Advisory Board]

Sponsors: Campos; Kim, Avalos, Mar and Farrell

Ordinance amending the Administrative Code to require certain City contractors and subcontractors with 20 or more employees to submit an Equal Pay Report regarding compensation paid to employees; and establishing the Equal Pay Advisory Board to analyze and recommend the best methods of data collection that will identify wage gaps, and setting forth the membership and duties of the Advisory Board.

Privilege of the floor was granted to Jon Givner, Deputy City Attorney, who responded to questions raised throughout the discussion.

A motion was made by Supervisor Tang, seconded by Supervisor Breed, to re-refer this matter to the Neighborhood Services and Safety Committee. Supervisor Tang withdrew the motion.

A motion was made by Supervisor Avalos, seconded by Supervisor Mar, to duplicate the matter. Supervisor Avalos withdrew the motion.

Supervisor Campos, seconded by Supervisor Kim, moved that this Ordinance be AMENDED on Page 5, Line 24, by adding '(D) To the extent any information in the Equal Pay Report qualifies as proprietary financial data or trade secret, the City shall not disclose the information unless required by law, including the California Public Records Act and the San Francisco Sunshine Ordinance.' The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Kim, seconded by Supervisor Tang, moved that this Ordinance be AMENDED on Page 12, Line 11, by deleting 'with experience advocating for equal pay for equal work' and adding 'employed by a nonprofit organization that contracts with the City'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Tang, seconded by Supervisor Cohen, moved that this Ordinance be CONTINUED AS AMENDED to November 25, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141002 [Police Code - Access to Reproductive Health Care Facilities]

Sponsors: Campos; Wiener, Mar, Yee, Kim, Avalos and Cohen

Ordinance amending the Police Code to repeal the prohibition on entering or remaining within a 25 foot buffer zone of a reproductive health care facility; to prohibit individuals from following or harassing others within 25 feet of the entrance to such a facility; to prohibit impeding access to the door of such a facility; and to prohibit excessive noise through yelling or amplification of sound within 50 feet of such a facility.

Supervisor Cohen requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Male Speaker; expressed various religious concerns.
Christopher Dahl; expressed various concerns relating to sea level, economists, and politics.
Jackie Flynn; spoke in support for proposed legislation relating to solar vision goals.
Tio Grandes; spoke in support for proposed legislation relating to solar vision goals.
Jeanine Carter; spoke in support for proposed legislation relating to solar vision goals.
Andy Schwartz; spoke in support for proposed legislation relating to solar vision goals.
Walker Wright; spoke in support for proposed legislation relating to solar vision goals.
Male Speaker; spoke in support for proposed legislation relating to solar vision goals.
John DiDonna; shared in poem certain concerns with the Board.
Danny Rose; expressed various concerns relating to breast cancer.
Jessica Inouye; spoke in support for proposed legislation relating to rights of workers to unionize.
Nancy Lee; spoke in support for proposed legislation relating to rights of workers to unionize.
Otto Duffy; expressed various concerns relating to blight and taxi vouchers.
Larry Edmund Juizye; expressed various concerns.
Male Speaker; expressed various concerns relating to safety in SRO's.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation

141028 [Closed Session - Anticipated Litigation - Establishing a Homeownership Stabilization Authority]

Sponsor: Farrell

Motion that the Board of Supervisors convene in closed session on October 28, 2014, for the purpose of conferring with or receiving advice from the City Attorney regarding anticipated litigation relating to the potential negotiation or adoption of a Joint Powers Agreement with the City of Richmond to establish a Homeownership Stabilization Authority to assist homeowners with troubled mortgages, in which the City is a potential defendant; pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(2), which permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in anticipated litigation.

The Clerk of the Board inquired as to whether any member of the public wished to address the Board regarding convening in closed session during General Public Comment. There were no speakers.

Supervisor Farrell, seconded by Supervisor Yee, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

From the Budget and Finance Committee Without Recommendation

140709 [Studying a Homeownership Stabilization Authority and Other Approaches to Assist Homeowners with Troubled Mortgages]

Sponsors: Avalos; Campos, Mar and Kim

Resolution authorizing negotiation of a Joint Powers Agreement with the City of Richmond to establish a Homeownership Stabilization Authority to assist homeowners with troubled mortgages.

Supervisor Avalos, seconded by Supervisor Farrell, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Resolution urging that a study of a potential Joint Powers Agreement with the City of Richmond to establish a Homeownership Stabilization Authority as well as other possible approaches to assist homeowners with troubled mortgages.

Resolution No. 398-14

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

141109 [Urging Support for Reconvening Domestic Violence Death Review Team]

Sponsors: Kim; Cohen, Tang, Breed and Mar

Resolution urging the City and County of San Francisco to support the reconvening of a multidisciplinary Domestic Violence Death Review Team to conduct an in-depth review of domestic violence-related fatalities; make recommendations to strengthen system policies and procedures, if needed; and identify additional prevention strategies to prevent future incidents of domestic violence-related injuries and deaths.

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 407-14

ADOPTED

141110 [Approval of a 90-Day Extension for Planning Commission Review of an Ordinance Amending the Downtown Support Special Use District; Fees in Lieu of On-Site Open Space (File No. 140877)]

Sponsor: Kim

Resolution extending by 90-days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 140877) amending the Planning Code, Section 247, to allow the Planning Commission to authorize a monetary contribution to satisfy on-site open space requirements; to exclude certain features from floor area ratio and gross floor area calculations; to establish a fund to accept the monetary contributions and provide that the monies deposited shall be used for recreation and open space in the South of Market (SoMa) area; to provide that the SoMa Community Stabilization Fund Community Advisory Committee shall advise on the administration of the fund; affirming the Planning Department's California Environmental Quality Act determination; and making findings consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Resolution No. 408-14

ADOPTED

141080 [Final Map 7722 - 4752-4760 17th Street]

Motion approving Final Map 7722, a five unit residential condominium project, located at 4752-4760 17th Street, being a subdivision of Assessor's Block No. 1286, Lot No. 018, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

Motion No. M14-181

APPROVED

141081 [Final Map 7914 - 1940-1944 Mason Street and 15A and 15B Scotland Street]

Motion approving Final Map 7914, a five unit residential condominium project, located at 1940-1944 Mason Street and 15A and 15B Scotland Street, being a subdivision of Assessor's Block No. 0090, Lot No. 018, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

Motion No. M14-182

APPROVED

141082 [Phased Final Map 7470 - 901 Rankin Street]

Motion approving Phased Final Map 7470, a one lot subdivision project, located at 901 Rankin Street, being a merger of Assessor's Block No. 5281, Lot Nos. 003 and 005, and a portion of former Kirkwood Avenue and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

Motion No. M14-183

APPROVED

141113 [Zoning - Report on Interim Moratorium on Production, Distribution, and Repair Conversion in the Proposed Central South of Market Plan Area]

Motion adopting the Planning Department's report on the interim zoning moratorium to prohibit the conversion or replacement of Production, Distribution, and Repair uses in the proposed Central South of Market Plan Area bounded by Market Street on the north, Townsend Street on the south, 2nd Street on the east, and 6th Street on the west. (Clerk of the Board)

Motion No. M14-184

APPROVED

141115 [Concurring in the Second Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area]

Motion concurring in the "Rim Fire" Second Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

Motion No. M14-185

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chiu requested that File No. 141111 be severed so that it may be considered separately.

141111 [Committee of the Whole - Consent to Provisions of a Variation Decision - October 28, 2014]

Sponsor: Kim

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, acting in its capacity as the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, on October 28, 2014, at 3:00 pm., to hold a public hearing to conditionally consent to the Provisions of a Variation Decision by the Commission on Community Investment and Infrastructure modifying the On-Site Affordable Housing Requirement for 181 Fremont, consisting of two parcels located on the east side of Fremont Street, between Mission and Howard Streets, in the Transbay Redevelopment Project Area.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 141111. There were no speakers. The President declared public comment closed.

Motion No. M14-180

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Campos requested that File No. 141106 be severed so that it may be considered separately.

141106 [Urging Support for the Right of Workers to Unionize at Le Meridien San Francisco and Hyatt Fisherman's Wharf]

Sponsors: Campos; Mar

Resolution urging the City and County of San Francisco to support the rights of workers to unionize and boycott the Le Meridien San Francisco and Hyatt Fisherman's Wharf.

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 405-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Chiu requested that File Nos. 141107 and 141108 be severed so that they may be considered separately.

141107 [Solar Vision Goals for San Francisco by 2020]

Sponsors: Chiu; Mar

Resolution urging the City and County of San Francisco to make GoSolarSF a permanent program, to require solar installation on all new construction or substantial retrofits in the City, establishing Solar Vision goals for 2020, and establishing an overall megawatt solar energy goal for the City.

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 406-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141108 [Condemning Anti-Arab and Anti-Muslim Bus Advertisements]

Sponsors: Chiu; Mar

Resolution standing with Muslim and Arab communities in the face of anti-Arab and anti-Muslim bus advertisements.

Supervisor Mar requested to be added as a co-sponsor.

Supervisor Chiu, seconded by Supervisor Campos, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Chiu, seconded by Supervisor Campos, moved that this Resolution be CONTINUED AS AMENDED to November 4, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

140981 [Administrative Code - Street Light Policy]

Sponsors: Wiener; Cohen and Breed

Ordinance amending the Administrative Code to provide a Street Light Policy; and affirming the Planning Department's determination under the California Environmental Quality Act.

09/16/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/16/2014.

09/29/14; REFERRED TO DEPARTMENT.

10/17/14; RESPONSE RECEIVED.

10/28/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

141117 [Appropriation - Site Development and a Conditional Loan for an Office Project on Van Ness Avenue - Department of Building Inspection - $8,072,300 - FY2014-2015]

Sponsor: Mayor

Ordinance appropriating $8,072,300 from reserves to the Department of Building Inspection in FY2014-2015, for site development and a conditional loan for an office project on Van Ness Avenue.
(Fiscal Impact)

10/28/14; ASSIGNED to Budget and Finance Committee.

141118 [Building Code - Building Façade Inspection and Maintenance and Establishing Fee]

Sponsors: Mayor; Farrell, Mar, Tang, Wiener, Breed and Yee

Ordinance amending the Building Code to require that 1) the façades of certain buildings having five or more stories be inspected periodically by a qualified licensed architect or engineer; 2) inspection reports be submitted to the owner and the Department of Building Inspection according to an inspection and reporting schedule; 3) maintenance of the façades be conducted in accordance with an Administrative Bulletin that is based on a national standard; 4) establishing a fee to compensate the Department for review and related evaluation processing; 5) making findings, including environmental findings, and findings under the California Health and Safety Code; and 6) directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.
(Fiscal Impact; No Budget and Legislative Analyst report)

10/28/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/27/2014.

141120 [Conditional Purchase Agreement - Goodwill SF Urban Development, LLC - 1500-1580 Mission Street - $326,690,953 Anticipated Project Cost]

Sponsor: Mayor

Ordinance approving and authorizing the Director of Property to execute a Conditional Land Disposition and Acquisition Agreement with Goodwill SF Urban Development, LLC, a Delaware limited liability company ("Developer") for the proposed City acquisition of a portion of the real property at 1500-1580 Mission Street, located at the corner of South Van Ness Avenue and Mission Street (Assessors Block No. 3506, Lot Nos. 2 and 3), for approximately $30,296,640 plus approximately $25,884,132 in predevelopment costs, together with a Construction Management Agreement for the completion of an approximately 466,400 gross square foot office building anticipated to cost $270,510,181 for a total anticipated project cost of $326,690,953; exempting the project from contracting requirements in Administrative Code, Chapter 6, and Chapter 14B; and approving the Developer, architect, and general contractor without competitive bidding, but requiring the payment of prevailing wages, implementation of a local business enterprise utilization program, and compliance with the City's local hire policy and first source hiring Ordinance. (Fiscal Impact)

10/28/14; ASSIGNED to Land Use and Economic Development Committee.

141121 [Contract Requirements - Municipal Transportation Agency Armed and Unarmed Security Services]

Sponsor: Avalos

Ordinance authorizing the Municipal Transportation Agency to include, in any contract for security services it executes within the next year after issuing a competitive solicitation, provisions that require: payment of prevailing wages by both the contractor and subcontractors to any individual providing security services under the contract, and transitional employment and retention for the prior contractor's employees as set forth in Administrative Code, Section 21C.7. (Fiscal Impact)

10/28/14; ASSIGNED to Budget and Finance Committee.

141122 [Administrative Code - Annual Reports on Evictions from Subsidized Housing]

Sponsors: Farrell; Breed

Ordinance amending the Administrative Code to require recipients of City-funded contracts for the administration or development of housing to submit annual reports to departments awarding the contracts on the number of tenants who receive notices of eviction or are evicted; and to require the awarding departments to submit annual reports on the same to the Mayor and Board of Supervisors.

10/28/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/27/2014.

141123 [Administrative Code - Establishing the Duties of the Office of Early Care and Education and Creating the Office of Early Care and Education Citizens' Advisory Committee]

Sponsors: Yee; Avalos and Kim

Ordinance amending the Administrative Code to establish the duties of the Office of Early Care and Education and to create the Office of Early Care and Education Citizens' Advisory Committee.

10/28/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/27/2014.

Resolutions

141005 [Street Encroachment - Automated Waste Collection System within Candlestick Point-Hunters Point Shipyard]

Sponsor: Cohen

Resolution granting revocable permission to Recology, Inc., to occupy a portion of the public right-of-way to construct and maintain various improvements for the below-grade Automated Waste Collection System (AWCS), which will be located within the Candlestick Point-Hunters Point Phase 2 Redevelopment Project Areas, to transport streams of solid waste in the AWCS pipe network from multiple private indoor and public outdoor waste inlets to separate enclosed centralized waste collection facilities for transport to off-site landfill, recycling, or compost facilities; conditioning the permit; making environmental findings under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

09/23/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

10/09/14; REFERRED TO DEPARTMENT.

10/28/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

141124 [Issuance of Tax-Exempt Obligation - California College of the Arts - Not to Exceed $26,000,000]

Sponsor: Cohen

Resolution approving in accordance with the Internal Revenue Code, Section 147(f), the issuance of tax-exempt obligations by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $26,000,000 to finance and refinance various capital facilities owned by California College of the Arts or an affiliate.

10/28/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141125 [Accept and Expend Grant - San Francisco Alternative Fuels Readiness Project - $300,000]

Sponsor: Farrell

Resolution retroactively authorizing the Department of the Environment to accept and expend a grant of $300,000 from the California Energy Commission to accelerate the adoption of Alternative Fuel Vehicles in the City and County of San Francisco for the term of June 30, 2014, through September 30, 2016.

10/28/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141126 [Authorizing the Use of the City Seal for The Imperial Council of San Francisco's 50th Anniversary Gala; "The Imperial Council of San Francisco, Inc., 50th Anniversary Gala Day" - February 15, 2015]

Sponsor: Wiener

Resolution authorizing the use of the Official Seal of the City and County of San Francisco by The Imperial Council of San Francisco in the promotion of its 50th Anniversary Gala at San Francisco City Hall on February 15, 2015; and declaring February 15, 2015, to be "The Imperial Council of San Francisco, Inc., 50th Anniversary Gala Day" in the City and County of San Francisco.

10/28/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

141127 [#LOVELOCALSF Day - November 5, 2014]

Sponsor: Chiu

Resolution declaring November 5, 2014, as #LOVELOCALSF day in the City and County of San Francisco.

10/28/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

141128 [Hearing - Distressed Mortgages]

Sponsor: Avalos

Hearing to consider new programmatic approaches in the Mayor's Office of Housing to support households with distressed mortgages, including underwater mortgages needing principal reduction, mortgages with pending interest rate increases and balloon payments, mortgages held in private label securitization trusts, and the difficulty of providing true relief to homeowners through loan modification.

10/28/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

141129 [Hearing - Central Market/Tenderloin Payroll Tax Exclusion]

Sponsor: Chiu

Hearing on the Controller's review of the impact of the Central Market/Tenderloin Payroll Tax Exclusion.

10/28/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

141130 [Hearing - Ending HIV Infections in San Francisco]

Sponsors: Wiener; Campos

Hearing on the status of San Francisco's Getting to Zero effort, a collaboration among public health agencies, non-profit healthcare providers, and HIV advocates with the goal of eliminating new HIV infection in San Francisco; including the City's current strategies to curb the spread of the disease, and what steps need to be taken to "Get to Zero" by ending HIV infections in San Francisco.

10/28/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

141132 [Hearing - Review and Approval of the Board of Supervisors/Clerk of the Board Annual Budget Guidelines - FYs 2015-2016 and 2016-2017]

Hearing to consider the review and approval of the Board of Supervisors/Clerk of the Board annual budget guidelines for FYs 2015-2016 and 2016-2017. (Clerk of the Board)

10/28/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

141056 **[Settlement of Lawsuit - Michael P. Walsh, Trustee of the John L. Stevenson Trust - Execution of Long-Term Lease - Mowry East Shopping Center, Fremont, California]**
Ordinance authorizing settlement of the lawsuit filed by Michael P. Walsh, Trustee of The John L. Stevenson Trust against the City and County of San Francisco by executing a long-term lease of the City's property for shopping center parking, access and landscaping at the Mowry East Shopping Center, Fremont, California; the lawsuit was filed on November 29, 2011, in Alameda County Superior Court, Case No. RG 11606118; entitled Michael P. Walsh, Trustee of The John L. Stevenson Trust v. City and County of San Francisco; other material terms of said settlement are that the plaintiff will pay fair market rent for portions of the leased premises used for parking, the parties will suspend their current dispute for the duration of the lease and the lease will govern the parties' relationship during the lease term, upon expiration or other termination of the lease, each party will retain its ability to assert the claims presented in the lawsuit, and the plaintiff will dismiss the lawsuit. (City Attorney)

10/16/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Rules Committee.

141057 **[Settlement of Lawsuit - Heinz Hofmann and Thomas Buckley - $200,000]**
Ordinance authorizing settlement of the lawsuit filed by Heinz Hofmann and Thomas Buckley against the City and County of San Francisco for $200,000; the lawsuit was filed on May 7, 2012, in United States District Court for the Northern District of California, Case No. 11-4016 CW; entitled Heinz Hofmann and Thomas Buckley v. City and County of San Francisco, et al. (City Attorney)

10/15/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Rules Committee.

141058 **[Settlement of Lawsuit - Brian Hill - $30,400]**
Ordinance authorizing settlement of the lawsuit filed by Brian Hill against the City and County of San Francisco for $30,400; the lawsuit was filed on March 5, 2009, in the San Francisco Superior Court, Case No. CGC 14-538953; entitled Brian Hill v. San Francisco Water Power Sewer, and Does 1 to 10. (City Attorney)

10/15/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Rules Committee.

141091 **[Health Code - Animal Care and Control Adoption Fee Waiver]**
Ordinance amending the Health Code to authorize the Animal Control Officer to waive adoption fees and other applicable charges upon finding that such a waiver will maintain or increase the live release rate. (City Administrator)

10/20/14; RECEIVED FROM DEPARTMENT.

10/28/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/27/2014.

PROPOSED RESOLUTIONS

141072 **[Settlement of Claim - Riverbed Technology, Inc. - $125,760.77]**
Resolution approving the settlement of the unlitigated claim filed on January 31, 2014, by Riverbed Technology, Inc., against the City and County of San Francisco for $125,760.77. (City Attorney)

10/15/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Rules Committee.

141073 **[Settlement of Claim - Susquehanna Financial Group, LP - $49,385.04]**
Resolution approving the settlement of the unlitigated claim filed on April 10, 2014, by Susquehanna Financial Group, LP, against the City and County of San Francisco for $49,385.04. (City Attorney)

10/15/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Rules Committee.

141074 **[Settlement of Claims - Oak River Insurance Company - $480,838.45]**
Resolution approving the settlement of the unlitigated claims filed by Oak River Insurance Company against the City and County of San Francisco on February 26, 2014, for $480,838.45. (City Attorney)

10/15/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Rules Committee.

141075 **[Settlement of Claim - Net Power and Light, Inc. - $26,743.72]**
Resolution approving the settlement of the unlitigated claim filed on April 7, 2014, by Net Power and Light, Inc., against the City and County of San Francisco for $26,743.72. (City Attorney)

10/15/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Rules Committee.

141076 **[Settlement of Claim - The Trustees of the University of Pennsylvania - $134,808.36]**
Resolution approving the settlement of the unlitigated claim filed by The Trustees of the University of Pennsylvania, on behalf of The Wharton School of the University of Pennsylvania against the City and County of San Francisco for $134,808.36; claim was filed on April 10, 2014. (City Attorney)

10/15/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Rules Committee.

141077 **[Lease Amendment - Marina's Café - Rental Car Center Café, a Small Business Set-Aside - $11,280 Minimum Annual Guarantee]**

Resolution approving Amendment No.1 to the Rental Car Center Café Lease No. 12-0221, a Small Business Set-Aside, between Marina's Café and the City and County of San Francisco, acting by and through its Airport Commission, with a Minimum Annual Guarantee of $11,280 and a term of five years, plus one option to extend the term by two years. (Airport Commission)

10/14/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141078 **[Lease Amendment - Early Termination and Buyout - Baysubway Airport (Subway) - Not to Exceed $1,200,000]**

Resolution approving an early termination and buyout of Baysubway Airport's (Subway) Domestic Terminal Food and Beverage Program Lease No. 03-0185 in an amount not-to-exceed $1,200,000 between Subway and the City and County of San Francisco, acting by and through its Airport Commission, to commence following Board approval. (Airport Commission)
(Fiscal Impact; No Budget and Legislative Analyst report)

10/14/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141079 **[Fixed Base Operator Lease and Operating Agreement Modification - Signature Flight Support Corporation - $70,511,537 Estimated Minimum Guarantee]**

Resolution approving Modification No. 1 to Fixed Base Operator Lease and Operating Agreement No. 07-0106 between Signature Flight Support Corporation, and the City and County of San Francisco, acting by and through its Airport Commission, to extend the lease by five years, for a new expiration date of September 30, 2022, for an estimated minimum guarantee of $70,511,537 during the extension of the term. (Airport Commission)

10/14/14; RECEIVED FROM DEPARTMENT.

10/28/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriams

Priscila "Precy" Moreto - Full Board
Louis Van Velzen - Supervisor Tang

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:22 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 9, 2014.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, November 4, 2014 - 2:00 PM

GOVERNMENT
DOCUMENTS DEPT

APR - 9 2015

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang	2nd and 4th Thursday 11:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Volume 109 Number 36

Members Present: John Avalos, London Breed, David Campos, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Cohen, seconded by Supervisor Breed, moved to approve the Board Meeting Minutes of September 30, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Neighborhood Services and Safety Committee

141002 [Police Code - Access to Reproductive Health Care Facilities]
Sponsors: Campos; Wiener, Mar, Yee, Kim, Avalos and Cohen
Ordinance amending the Police Code to repeal the prohibition on entering or remaining within a 25 foot buffer zone of a reproductive health care facility; to prohibit individuals from following or harassing others within 25 feet of the entrance to such a facility; to prohibit impeding access to the door of such a facility; and to prohibit excessive noise through yelling or amplification of sound within 50 feet of such a facility.

Ordinance No. 230-14

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

141000 [Appropriation - Support for HIV Prevention - Department of Public Health - $301,600 - FY2014-2015]

Sponsors: Campos; Mar, Kim, Avalos and Wiener

Ordinance appropriating $301,600 from the General Fund Reserve to the Department of Public Health in FY 2014-2015, for HIV prevention support for access to PreExposure Prophylaxis medication to assist in the prevention of HIV infection transmission.
(Fiscal Impact)

Ordinance No. 229-14

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Noes: 1 - Tang

Recommendations of the Land Use and Economic Development Committee

120796 [Planning Code, Zoning Map - Establishing the Divisadero Street Neighborhood Commercial District and Deleting the Divisadero Street Restricted Use District]

Sponsor: Breed

Ordinance amending the Planning Code to establish the Divisadero Street Neighborhood Commercial District (NCD) along Divisadero Street between Haight and O'Farrell Streets, deleting the Divisadero Street Alcohol Restricted Use District (RUD), amending various other Code sections to make conforming and other technical changes, amending the Zoning Map to add the Divisadero Street NCD and deleting the Divisadero Street RUD, affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Ordinance No. 227-14

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

120814 [Planning Code, Zoning Map - Establishing the Fillmore Street Neighborhood Commercial District]

Sponsor: Breed

Ordinance amending the Planning Code to establish the Fillmore Street Neighborhood Commercial District (NCD) along Fillmore Street between Bush and McAllister Streets; amending various other Code sections to make conforming and other technical changes; amending the Zoning Map to add the Fillmore Street NCD; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Ordinance No. 228-14

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141023 [Development Agreement - 181 Fremont Street, LLC - 181 Fremont Street - Transbay Redevelopment Project Area]

Sponsors: Mayor; Kim

Ordinance approving a Development Agreement between the City and County of San Francisco and 181 Fremont Street, LLC, for certain real property, known as 181 Fremont Street, located in the Transbay Redevelopment Project Area, consisting of two parcels located on the east side of Fremont Street, between Mission and Howard Streets; making findings of conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b); and waiving certain provisions of Administrative Code, Chapter 56, and Planning Code, Section 249.28.

Ordinance No. 231-14

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

140932 [Accept and Expend Grant - California Department of Parks and Recreation's Habitat Conservation Fund - Youth Stewardship Program - $200,000]

Sponsor: Chiu

Resolution authorizing the Recreation and Park Department to accept and expend a grant of $200,000 from the California Department of Parks and Recreation's Habitat Conservation Fund to support the Youth Stewardship Program.

Resolution No. 410-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141004 [Accept and Expend Grant - Juvenile Justice Accountability Block Grant - $75,889]

Sponsor: Campos

Resolution retroactively authorizing the Public Defender's Office to accept and expend a grant in the amount of $75,889 from the Board of State and Community Corrections for the purposes of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant, for the term of July 1, 2014, through June 30, 2015.

Resolution No. 411-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Government Audit and Oversight Committee

141041 [Fisherman's Wharf, and Fisherman's Wharf Portside Community Benefit Districts - Annual Reports to the City - FYs 2009-2013]

Sponsor: Chiu

Resolution receiving and approving annual reports for the Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District for FYs 2009-2013, submitted as required by the Property and Business Improvement District Law of 1994, Section 36650 (California Streets and Highways Code, Sections 36600, et seq.), and the Districts' management contracts with the City.

Resolution No. 412-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

120881 [Planning Code, Zoning Map - Uses, Conformity of Uses, Parking Requirements for Uses, and Special Use Districts]

Sponsor: Chiu

Ordinance amending the Planning Code, by repealing Section 158 and amending various other Code Sections, to modify controls for uses and accessory uses in Commercial and Residential Commercial (RC) Districts; eliminate minimum parking requirements for the Chinatown Mixed Use Districts, RC Districts, the Broadway and North Beach Neighborhood Commercial Districts (NCDs), and the Washington-Broadway Special Use District (SUD); make maximum residential parking permitted in Downtown Commercial and RC Districts consistent with Neighborhood Commercial Transit (NCT) Districts; make maximum non-residential parking in RC Districts, Chinatown Mixed Use Districts, and Broadway and North Beach NCDs consistent with NCT Districts; make surface parking lots a non-conforming use in Downtown Commercial Districts; modify conformity requirements in various use districts; modify streetscape requirements, public open space requirements, floor-area ratio calculations, and transportation management requirements for various uses in certain districts; permit certain exceptions from exposure and open space requirements for historic buildings; remove references to deleted sections of the Code; amend Zoning Map Sheet SU01 to consolidate the two Washington-Broadway SUDs and revise the boundaries; and making environmental findings, Section 302, findings, and findings of consistency with the General Plan, and the priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140844 [Planning Code - Formula Retail and Large-Scale Retail Controls]
Sponsor: Mar

Ordinance amending the Planning Code to amend the definition of Formula Retail to include businesses that have 11 or more outlets worldwide; expand the applicability of Formula Retail controls to other types of uses; require Conditional Use authorization for Formula Retail establishments in the C-3-G district with facades facing Market Street, between 6th Street and the intersection of Market Street, 12th Street and Franklin Street; provide a method for calculating the concentration of formula retail establishments in a certain area; require Planning Department staff to recommend disapproval of new formula retail in the Upper Market Neighborhood Commercial District based on concentration of existing Formula Retail; delete the requirement for Conditional Use authorization when a Formula Retail establishment changes operator but remains the same size and use category; define intensification and abandonment for Formula Retail uses; require Formula Retail uses to comply with performance guidelines; amend the Conditional Use criteria for Large-Scale Retail Uses, and for Formula Retail uses of 20,000 gross square feet or greater except for General and Specialty Grocery stores, to require an economic impact study and establish new fees for said study; require 30 days' public notice for conditional use hearings on proposed Formula Retail uses; amend Neighborhood Commercial Districts that required Conditional Use for Financial and Limited Financial Services to principally permit Financial and Limited Financial Services except in the Castro Street Neighborhood Commercial District, Upper Market Neighborhood Commercial Transit District, and 24th Street - Noe Valley Neighborhood Commercial District; delete the Conditional Use requirement for Walk-Up Facilities that are not set back 3 feet; and correct various Code provisions to ensure accuracy of cross-references; and adopting findings, including environmental findings, Planning Code, Section 302 findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Supervisor Wiener, seconded by Supervisor Mar, moved that this Ordinance be AMENDED on Page 80, Line 18, by adding 'complete' before 'application', deleting 'for a proposed Formula Retail use', and changing 'City' to 'Planning Department'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140970 [Administrative Code - Calculating Interest on Residential Rental Security Deposits]

Ordinance amending the Administrative Code to provide a new method for calculating the interest on residential rental security deposits beginning March 1, 2015. (Rent Stabilization and Arbitration Board)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140980 [Summary Street Vacation - Portion of Raccoon Drive]
Sponsor: Wiener

Ordinance ordering the summary street vacation of a portion of Raccoon Drive, between Twin Peaks Boulevard and Saint Germain Avenue; approving a quitclaim of the City's interest in the vacation area; approving a public access easement over a portion of the vacation area; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this legislation are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Yee, seconded by Supervisor Kim, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the family of the following individual. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Yee presented an In Memoriam for Sandy Siegal in recognition of his accomplishments and life achievements.

SPECIAL ORDER 3:00 P.M.

141046 [Public Hearing - Appeal of Conditional Use Authorization - 395-26th Avenue]

Hearing of persons interested in or objecting to the Planning Commission's decision of September 4, 2014, Motion No. 19229, relating to approval of a Conditional Use Authorization (Case No. 2013.0205CEKSV), to demolish two residential units on a property within the Outer Clement Street Neighborhood Commercial District (NCD), located at 395-26th Avenue, Assessor's Block No. 1407, Lot No. 017. (District 1) (Appellant: Stephen M. Williams) (Filed October 6, 2014). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. Nina Frankel, and John Hadden; spoke in support of the appeal. There were no other speakers.

Supervisor Mar, seconded by Supervisor Campos, moved that this Hearing be CONTINUED OPEN to November 25, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

The President CONTINUED OPEN the Hearing to November 25, 2014, at 3:00 p.m.

141047 [Approving the Conditional Use Authorization Decision - 395-26th Avenue]

Motion approving the decision of the Planning Commission by its Motion No. 19229, approving Conditional Use Authorization identified as Planning Case No. 2013.0205CEKSV on property located at 395-26th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Campos, moved that this Motion be CONTINUED to November 25, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141048 [Disapproving the Conditional Use Authorization Decision - 395-26th Avenue]

Motion disapproving the decision of the Planning Commission by its Motion No. 19229, approving a Conditional Use Authorization identified as Planning Case No. 2013.0205CEKSV on property located at 395-26th Avenue, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Campos, moved that this Motion be CONTINUED to November 25, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141049 [Preparation of Findings Related to the Conditional Use Authorization - 395-26th Avenue]

Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Authorization identified as Planning Case No. 2013.0205CEKSV on property located at 395-26th Avenue. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Campos, moved that this Motion be CONTINUED to November 25, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:00 P.M.

141064 [Public Hearing - Appeal of Conditional Use Authorization - 115 Telegraph Hill Boulevard]

Hearing of persons interested in or objecting to the Planning Commission's decision of September 11, 2014, Motion No. 19232, relating to approval of a Conditional Use Authorization (Case No. 2013.1375EC), to allow the construction of three new dwelling units (for a lot total of four units) with three off-street parking spaces within the RH-3 (Residential House, Three-Family) Zoning District, Telegraph Hill - North Beach Residential Special Use District and a 40-X Height and Bulk District located at 115 Telegraph Hill Boulevard, Assessor's Block No. 0105, Lot No. 065. (District 3) (Appellant: Vedica Puri, on behalf of Telegraph Hill Dwellers) (Filed October 14, 2014). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance pursuant to Planning Code, Section 31.16(b)(3), which requires that a California Environmental Quality Act (CEQA) appeal decision (see Board File Nos. 141059-141062) be affirmed by the Board prior to any project approvals. There were no speakers.

Supervisor Mar, seconded by Supervisor Farrell, moved that this Hearing be CONTINUED OPEN to November 18, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

The President CONTINUED OPEN the Hearing to November 18, 2014, at 3:00 p.m.

141065 [Approving the Conditional Use Authorization Decision - 115 Telegraph Hill Boulevard]

Motion approving the decision of the Planning Commission by its Motion No. 19232, approving a Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to November 18, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141066 [Disapproving the Planning Commission's Conditional Use Authorization Decision - Approving a Conditional Use Authorization - 115 Telegraph Hill Boulevard]
Motion disapproving the decision of the Planning Commission by its Motion No. 19232, approving a Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to November 18, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141067 [Preparation of Findings Related to the Conditional Use Authorization - 115 Telegraph Hill Boulevard]
Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to November 18, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:00 P.M.

141068 [Public Hearing - Appeal of Conditional Use Authorization - 431 Balboa Street]
Hearing of persons interested in or objecting to the Planning Commission's decision of September 18, 2014, Motion No. 19237, relating to approval of a Conditional Use Authorization (Case No. 2012.0059C), to allow a macro wireless telecommunications services (WTS) facility operated by AT&T Mobility, located at 431 Balboa Street, Assessor's Block No. 1639, Lot No. 047. (District 1) (Appellant: John Umekubo) (Filed October 16, 2014). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Dr. John Umekubo (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Chowvalee Boonyaratanakornkit; Michael Murphy; Carol Pragides; Sophie Lau; Female Speaker; Female Speaker; spoke in support of the appeal. AnMarie Rodgers, and Omar Masry (Planning Department) provided an overview of the decision of the Planning Commission and responded to questions raised throughout the discussion. Cindy Greenhouse (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. There were no speakers in support of the project and in opposition to the appeal. Dr. John Umekubo (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

141069 [Approving the Conditional Use Authorization Decision - 431 Balboa Street]

Motion approving the decision of the Planning Commission by its Motion No. 19237, approving a Conditional Use Authorization identified as Planning Case No. 2012.0059C on property located at 431 Balboa Street, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Privilege of the floor was granted to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.

Supervisor Mar, seconded by Supervisor Kim, moved that this Motion be TABLED. The motion FAILED by the following vote:
Ayes: 5 - Campos, Chiu, Kim, Mar, Yee
Noes: 6 - Avalos, Breed, Cohen, Farrell, Tang, Wiener

Motion No. M14-186

Supervisor Farrell, seconded by Supervisor Breed, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 6 - Avalos, Breed, Cohen, Farrell, Tang, Wiener
Noes: 5 - Campos, Chiu, Kim, Mar, Yee

141070 [Disapproving the Conditional Use Authorization Decision - 431 Balboa Street]

Motion disapproving the decision of the Planning Commission by its Motion No. 19237, approving a Conditional Use Authorization identified as Planning Case No. 2012.0059C on property located at 431 Balboa Street, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Privilege of the floor was granted to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.

Supervisor Mar, seconded by Supervisor Kim, moved that this Motion be APPROVED. The motion FAILED by the following vote:
Ayes: 5 - Campos, Chiu, Kim, Mar, Yee
Noes: 6 - Avalos, Breed, Cohen, Farrell, Tang, Wiener

Supervisor Farrell, seconded by Supervisor Breed, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 6 - Avalos, Breed, Cohen, Farrell, Tang, Wiener
Noes: 5 - Campos, Chiu, Kim, Mar, Yee

141071 [Preparation of Findings Related to the Conditional Use Authorization - 431 Balboa Street]

Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Authorization identified as Planning Case No. 2012.0059C on property located at 431 Balboa Street. (Clerk of the Board)

Privilege of the floor was granted to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.

Supervisor Mar, seconded by Supervisor Kim, moved that this Motion be APPROVED. The motion FAILED by the following vote:
Ayes: 5 - Campos, Chiu, Kim, Mar, Yee
Noes: 6 - Avalos, Breed, Cohen, Farrell, Tang, Wiener

Supervisor Farrell, seconded by Supervisor Breed, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 6 - Avalos, Breed, Cohen, Farrell, Tang, Wiener
Noes: 5 - Campos, Chiu, Kim, Mar, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Male Speaker; expressed various concerns.
Male Speaker; expressed concerns regarding the World Series celebrations.
Male Speaker; expressed concerns regarding pedestrian safety.
Yaman Salahi; spoke in support of the resolution condemning the Anti-Arab and Anti-Muslim bus advertisements.
Brice Hamack; spoke in support of the resolution condemning the Anti-Arab and Anti-Muslim bus advertisements.
Carol Sanders; spoke in support of the resolution condemning the Anti-Arab and Anti-Muslim bus advertisements.
Walter Paulson; shared in song certain concerns with the Board.
Nina Frankel; expressed concerns regarding traffic control.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

141127 [#LOVELOCALSF Day - November 5, 2014]

Sponsor: Chiu

Resolution declaring November 5, 2014, as #LOVELOCALSF day in the City and County of San Francisco.

Resolution No. 414-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chiu requested that File No.141108 be severed so that it may be considered separately.

141108 **[Condemning Anti-Arab and Anti-Muslim Bus Advertisements]**
Sponsors: Chiu; Mar
Resolution standing with Muslim and Arab communities in the face of anti-Arab and anti-Muslim bus advertisements.

Resolution No. 413-14

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

140880 **[Police Code - Hours and Retention Protections for Formula Retail Employees]**
Sponsors: Mar; Chiu, Campos and Avalos
Ordinance amending the Police Code to regulate the operation of Formula Retail Establishments, including requiring employers to offer additional hours of work, when available, to current part-time employees; and requiring successor employers to retain employees for 90 days upon a change in control of the business.

07/29/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/28/2014.

08/20/14; REFERRED TO DEPARTMENT.

10/30/14; TRANSFERRED to Budget and Finance Committee.

11/04/14; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

141024 [Police Code - Fair Scheduling and Treatment of Formula Retail Employees]

Sponsors: Chiu; Mar

Ordinance amending the Police Code to require Formula Retail Establishments to provide employees with two weeks' notice of work schedules, notice of changes to work schedules, and compensation for schedule changes made on less than seven days' notice and unused on-call shifts; and to provide part-time employees with the same starting rate of hourly pay, access to time off, and eligibility for promotions, as provided to full-time employees.

09/30/14; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 10/30/2014.

10/06/14; REFERRED TO DEPARTMENT.

10/30/14; TRANSFERRED to Budget and Finance Committee.

11/04/14; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

141145 [Levy and Collection of Special Taxes - Community Facilities District No. 2014-1 (Transbay Transit Center)]

Sponsors: Mayor; Kim

Ordinance authorizing the levy and collection of special taxes within City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center).

11/04/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/4/2014.

141146 [Business and Tax Regulations Code - Hotel Tax Exemption Increase]

Sponsor: Mayor

Ordinance amending the Business and Tax Regulations Code, Article 7 (Tax on Transient Occupancy of Hotel Rooms), to increase the daily exemption amount from $30 to $40; and to require future review by the Controller of the daily and weekly exemption amounts.

11/04/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/4/2014.

141147 [Appropriation and De-Appropriation - Hosting the PGA World Golf Championship Tournament - Recreation and Park - $1,300,000 - FY2014-2015]

Sponsor: Mayor

Ordinance appropriating $1,300,000 to the Recreation and Park Department for the costs associated with hosting the PGA World Golf Championship Tournament at TPC Harding Park Golf Course; and appropriating and de-appropriating $500,000 to reimburse the Recreation and Park Department for revenue lost during the closure of the golf course.
(Fiscal Impact)

11/04/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/4/2014.

141148 [Contracting Process - Van Ness Bus Rapid Transit Project]

Sponsor: Kim

Ordinance modifying the requirements of Administrative Code, Section 6.68, as applied to the proposed construction of the Van Ness Bus Rapid Transit Project, to authorize the Municipal Transportation Agency to, instead of a formal Request for Qualifications, issue a Request for Proposals (RFP) to potential construction managers/general contractors (CM/GC), to include their teams of core trade subcontractors, which RFP will contain minimum qualifications for the CM/GC and certain subcontractors; evaluate the CM/GC primarily on non-cost criteria; negotiate a guaranteed maximum price with the selected CM/GC when the design is sufficiently complete, provided the price is fair and reasonable; and making environmental findings.

11/04/14; ASSIGNED to Land Use and Economic Development Committee.

141149 [Administrative Code - Language Access Requirements for Departments]

Sponsor: Tang

Ordinance amending the Administrative Code to expand the scope of the Language Access Ordinance to apply to all City Departments that provide information or services directly to the public or interacts with the public, revise compliant procedures; and enhance the annual departmental compliance plan requirement.

11/04/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/4/2014.

Resolutions

141150 [Master Tournament Agreement Amendment - PGA TOUR, Inc. - Not to Exceed $6,875,000]

Sponsor: Mayor

Resolution approving and authorizing the execution of a Fourth Amendment to the Master Tournament Agreement with PGA TOUR, Inc., for the use of Harding Park Golf Course for certain professional golf tournaments for a period beginning in 2015 and ending in 2025 which will result in a value not to exceed $6,875,000.

11/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141151 [Planning and Engineering Services Contract - Carollo Engineers, Inc. - New Southeast Plant Headworks Facility - Not to Exceed $14,000,000]

Sponsor: Mayor

Resolution authorizing the General Manager of the Public Utilities Commission to execute an agreement with Carollo Engineers, Inc., for specialized planning and engineering services for the proposed new headworks facility at the Southeast Water Pollution Control Plant for an amount not-to-exceed $14,000,000 and a six-year term to commence following Board approval. (Fiscal Impact)

11/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141154 [Consent to Successor Agency Actions Facilitating Interim Financing - Transbay Transit Center - Transbay Redevelopment Project Area - Amendment to Option Agreement Affecting Affordable Housing Requirement]

Sponsor: Kim

Resolution of the Board of Supervisors, acting in its capacity as the legislative body to the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, approving actions by the Commission on Community Investment and Infrastructure to subordinate property interest in a site designated for affordable housing in the Transbay Redevelopment Project Area; and to facilitate interim financing by the Transbay Joint Powers Authority for the construction of Transbay Transit Center.

11/04/14; RECEIVED AND ASSIGNED to Board of Supervisors.

141155 [Approval of First Amendment to Option Agreement for the Purchase and Sale of Real Property - Transbay Joint Powers Authority - Consent to Conditions of Transbay Joint Power Authority's Bridge Loan - $171,000,000]

Sponsor: Kim

Resolution authorizing the Director of Property to execute the First Amendment to Option Agreement for the Purchase and Sale of Real Property between the City, Transbay Joint Powers Authority, and Successor Agency to the Redevelopment Agency of City and County of San Francisco; execute a consent to the conditions of the Transbay Joint Powers Authority's Bridge Loan with a value of $171,000,000; and acknowledge the Subordination of the Option Agreement for the Purchase and Sale of Real Property for Transbay Parcels F, O, O', and O".

11/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141156 [Approval of a 60-Day Extension for Planning Commission Review of an Ordinance Amending the Planning Code to Permit Exceptions from Dwelling Unit Density Limits and from Other Specified Code Requirements (File No. 140954)]

Sponsor: Wiener

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 140954) amending the Planning Code to permit exceptions from dwelling unit density limits and other requirements of the Code when adding Dwelling Units to existing buildings undergoing seismic retrofitting; deleting the requirement that a new In-Law Unit constructed in and near the Castro Street Neighborhood Commercial District be limited to 750 square feet; correcting outdated cross-references and Code language; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

11/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141157 [Urging the Municipal Transportation Agency to Negotiate a Provision in the Upcoming Towing Contract that Eliminates or Reduces Fees Imposed on Victims of Motor Vehicle Theft]

Sponsors: Wiener; Tang

Resolution urging the Municipal Transportation Agency to include a provision in its 2015 towing contract that either waives all fees imposed on all victims of motor vehicle theft in San Francisco, or significantly reduces the towing fee and significantly extends the grace period during which victims of motor vehicle theft can recover their vehicles before incurring storage fees.

11/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

141152 [Committee of the Whole - Consent to Successor Agency Actions Facilitating Interim Financing for Transbay Transit Center - Transbay Redevelopment Project Area - December 9, 2014]

Sponsor: Kim

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, acting in its capacity as the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, on December 9, 2014, at 3:00 p.m., to hold a public hearing to approve actions by the Commission on Community Investment and Infrastructure to subordinate property interest in a site designated for affordable housing in the Transbay Redevelopment Project Area for the construction of the Transbay Transit Center.

11/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

In Memoriam

Sandy Siegel - Supervisor Yee

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:17 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 9, 2014.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

APR - 9 2015

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, November 18, 2014 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang	2nd and 4th Thursday 11:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Volume 109 Number 37

Members Present: John Avalos, London Breed, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:14 p.m. On the call of the roll, Supervisor Campos was noted not present. There was a quorum.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of October 7, 2014. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Absent: 1 - Campos

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, acknowledged receipt of a communication from the Office of Supervisor David Campos, dated November 18, 2014, stating the Supervisor will not be in attendance and requests to be excused from the November 18, 2014, Board of Supervisors meeting.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

There were no questions submitted from Supervisors representing the even districts. Mayor Edwin Lee addressed the Board of Supervisors by thanking the Board for their collaboration on the measures passed during the November 2014 Election, and congratulating the Department of Animal Care and Control and Mayor Frida for the successful bid on "Mayor for a Day." Following public comment this matter was filed. No further action was taken.

Supervisor Campos Excused from Attendance

Supervisor Farrell, seconded by Supervisor Kim, moved that Supervisor Campos be excused from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

CONSENT AGENDA

Recommendations of the Land Use and Economic Development Committee

120881 [Planning Code, Zoning Map - Uses, Conformity of Uses, Parking Requirements for Uses, and Special Use Districts]

Sponsor: Chiu

Ordinance amending the Planning Code, by repealing Section 158 and amending various other Code Sections, to modify controls for uses and accessory uses in Commercial and Residential Commercial (RC) Districts; eliminate minimum parking requirements for the Chinatown Mixed Use Districts, RC Districts, the Broadway and North Beach Neighborhood Commercial Districts (NCDs), and the Washington-Broadway Special Use District (SUD); make maximum residential parking permitted in Downtown Commercial and RC Districts consistent with Neighborhood Commercial Transit (NCT) Districts; make maximum non-residential parking in RC Districts, Chinatown Mixed Use Districts, and Broadway and North Beach NCDs consistent with NCT Districts; make surface parking lots a non-conforming use in Downtown Commercial Districts; modify conformity requirements in various use districts; modify streetscape requirements, public open space requirements, floor-area ratio calculations, and transportation management requirements for various uses in certain districts; permit certain exceptions from exposure and open space requirements for historic buildings; remove references to deleted sections of the Code; amend Zoning Map Sheet SU01 to consolidate the two Washington-Broadway SUDs and revise the boundaries; and making environmental findings, Section 302, findings, and findings of consistency with the General Plan, and the priority policies of Planning Code, Section 101.1.

Ordinance No. 232-14

FINALLY PASSED

140970 [Administrative Code - Calculating Interest on Residential Rental Security Deposits]

Ordinance amending the Administrative Code to provide a new method for calculating the interest on residential rental security deposits beginning March 1, 2015. (Rent Stabilization and Arbitration Board)

Ordinance No. 233-14

FINALLY PASSED

140980 [Summary Street Vacation - Portion of Raccoon Drive]

Sponsor: Wiener

Ordinance ordering the summary street vacation of a portion of Raccoon Drive, between Twin Peaks Boulevard and Saint Germain Avenue; approving a quitclaim of the City's interest in the vacation area; approving a public access easement over a portion of the vacation area; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this legislation are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance.

Ordinance No. 234-14

FINALLY PASSED

Recommendations of the Rules Committee

140947 [Settlement of Lawsuit - Carpenter's Union Local 22 - $60,000]

Ordinance authorizing settlement of the lawsuit filed by Carpenter's Local 22 against the City and County of San Francisco for $60,000; the lawsuit was filed on April 8, 2014, in United States District Court, Northern District of California, Case No. CV-14-01615 RS; entitled Carpenters Union, Local 22, v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

141056 [Settlement of Lawsuit - Michael P. Walsh, Trustee of the John L. Stevenson Trust - Execution of Long-Term Lease - Mowry East Shopping Center, Fremont, California]

Ordinance authorizing settlement of the lawsuit filed by Michael P. Walsh, Trustee of The John L. Stevenson Trust against the City and County of San Francisco by executing a long-term lease of the City's property for shopping center parking, access and landscaping at the Mowry East Shopping Center, Fremont, California; the lawsuit was filed on November 29, 2011, in Alameda County Superior Court, Case No. RG 11606118; entitled Michael P. Walsh, Trustee of The John L. Stevenson Trust v. City and County of San Francisco; other material terms of said settlement are that the plaintiff will pay fair market rent for portions of the leased premises used for parking, the parties will suspend their current dispute for the duration of the lease and the lease will govern the parties' relationship during the lease term, upon expiration or other termination of the lease, each party will retain its ability to assert the claims presented in the lawsuit, and the plaintiff will dismiss the lawsuit. (City Attorney)

PASSED, ON FIRST READING

141057 [Settlement of Lawsuit - Heinz Hofmann and Thomas Buckley - $200,000]

Ordinance authorizing settlement of the lawsuit filed by Heinz Hofmann and Thomas Buckley against the City and County of San Francisco for $200,000; the lawsuit was filed on May 7, 2012, in United States District Court for the Northern District of California, Case No. 11-4016 CW; entitled Heinz Hofmann and Thomas Buckley v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

141058 [Settlement of Lawsuit - Brian Hill - $30,400]

Ordinance authorizing settlement of the lawsuit filed by Brian Hill against the City and County of San Francisco for $30,400; the lawsuit was filed on March 5, 2009, in the San Francisco Superior Court, Case No. CGC 14-538953; entitled Brian Hill v. San Francisco Water Power Sewer, and Does 1 to 10. (City Attorney)

PASSED, ON FIRST READING

141072 [Settlement of Claim - Riverbed Technology, Inc. - $125,760.77]

Resolution approving the settlement of the unlitigated claim filed on January 31, 2014, by Riverbed Technology, Inc., against the City and County of San Francisco for $125,760.77. (City Attorney)

Resolution No. 416-14

ADOPTED

141073 [Settlement of Claim - Susquehanna Financial Group, LP - $49,385.04]

Resolution approving the settlement of the unlitigated claim filed on April 10, 2014, by Susquehanna Financial Group, LP, against the City and County of San Francisco for $49,385.04. (City Attorney)

Resolution No. 417-14

ADOPTED

141074 [Settlement of Claims - Oak River Insurance Company - $480,838.45]

Resolution approving the settlement of the unlitigated claims filed by Oak River Insurance Company against the City and County of San Francisco on February 26, 2014, for $480,838.45. (City Attorney)

Resolution No. 418-14

ADOPTED

141075 [Settlement of Claim - Net Power and Light, Inc. - $26,743.72]

Resolution approving the settlement of the unlitigated claim filed on April 7, 2014, by Net Power and Light, Inc., against the City and County of San Francisco for $26,743.72. (City Attorney)

Resolution No. 419-14

ADOPTED

141076 [Settlement of Claim - The Trustees of the University of Pennsylvania - $134,808.36]

Resolution approving the settlement of the unlitigated claim filed by The Trustees of the University of Pennsylvania, on behalf of The Wharton School of the University of Pennsylvania against the City and County of San Francisco for $134,808.36; claim was filed on April 10, 2014. (City Attorney)

Resolution No. 420-14

ADOPTED

141134 [Appointments, Bicycle Advisory Committee - Kevin Dole, Winston Parsons, Edward Nicolson, Morgan Fitzgibbons, and Richard May]

Motion appointing Kevin Dole, Winston Parsons, Edward Nicolson, Morgan Fitzgibbons, and Richard May, terms ending November 19, 2016, to the Bicycle Advisory Committee. (Rules Committee)

Motion No. M14-187

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

140844 [Planning Code - Formula Retail and Large-Scale Retail Controls]

Sponsor: Mar

Ordinance amending the Planning Code to amend the definition of Formula Retail to include businesses that have 11 or more outlets worldwide; expand the applicability of Formula Retail controls to other types of uses; require Conditional Use authorization for Formula Retail establishments in the C-3-G district with facades facing Market Street, between 6th Street and the intersection of Market Street, 12th Street and Franklin Street; provide a method for calculating the concentration of formula retail establishments in a certain area; require Planning Department staff to recommend disapproval of new formula retail in the Upper Market Neighborhood Commercial District based on concentration of existing Formula Retail; delete the requirement for Conditional Use authorization when a Formula Retail establishment changes operator but remains the same size and use category; define intensification and abandonment for Formula Retail uses; require Formula Retail uses to comply with performance guidelines; amend the Conditional Use criteria for Large-Scale Retail Uses, and for Formula Retail uses of 20,000 gross square feet or greater except for General and Specialty Grocery stores, to require an economic impact study and establish new fees for said study; require 30 days' public notice for conditional use hearings on proposed Formula Retail uses; amend Neighborhood Commercial Districts that required Conditional Use for Financial and Limited Financial Services to principally permit Financial and Limited Financial Services except in the Castro Street Neighborhood Commercial District, Upper Market Neighborhood Commercial Transit District, and 24th Street - Noe Valley Neighborhood Commercial District; delete the Conditional Use requirement for Walk-Up Facilities that are not set back 3 feet; and correct various Code provisions to ensure accuracy of cross-references; and adopting findings, including environmental findings, Planning Code, Section 302 findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Ordinance No. 235-14

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

NEW BUSINESS

Recommendations of the Budget and Finance Committee

141097 [Administrative Code - Department of Public Health Managed Care Contracts]

Sponsors: Farrell; Chiu and Campos

Ordinance amending the Administrative Code to authorize the Director of Health to enter into managed care contracts for the provision of services to individuals covered under federal and state programs including subsidized health coverage for low income populations.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

141039 [Accept and Expend Grant - Herz Playground Improvements - A. Ruiz Construction Company and Associates, Inc. - $117,000]

Sponsor: Cohen

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant of $117,000 from A. Ruiz Construction Company and Associates, Inc., for improvements to the pathways at Herz Playground for the period of May 15, 2014, through May 31, 2014.

Resolution No. 421-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

141040 [Accept and Expend Grant - Herz Playground Improvements - O.C. Jones and Sons, Inc. - $248,000]

Sponsor: Cohen

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant of $248,000 from O.C. Jones and Sons, Inc., for the renovation of the baseball diamond at Herz Playground for the period of March 26, 2014, through May 31, 2014.

Resolution No. 422-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

141100 [Accept and Expend Grant - Racial and Ethnic Approaches to Community Health - Heart Healthy SF- $799,159]

Sponsors: Cohen; Mar

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of $799,159 from Centers for Disease Control and Prevention to participate in a program entitled "Racial and Ethnic Approaches to Community Health - Heart Healthy SF" for the period of September 30, 2014, through September 29, 2015.

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 423-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

140989 [Support Goals for Federal Funding - Community Development Block Grant, Emergency Solutions Grant and Housing Opportunities for Persons with AIDS Programs - FY2015-2016]

Resolution supporting FY2015-2016 Community Development Block Grant, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS Consolidated Plan Goals. (Mayor's Office of Housing)

Resolution No. 424-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

Recommendations of the Land Use and Economic Development Committee

140981 [Administrative Code - Street Light Policy]

Sponsors: Wiener; Cohen and Breed

Ordinance amending the Administrative Code to provide a Street Light Policy; and to make relevant findings.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

141005 [Street Encroachment - Automated Waste Collection System within Candlestick Point-Hunters Point Shipyard]

Sponsor: Cohen

Resolution granting revocable permission to Recology, Inc., to occupy a portion of the public right-of-way to construct and maintain various improvements for the below-grade Automated Waste Collection System (AWCS), which will be located within the Candlestick Point-Hunters Point Phase 2 Redevelopment Project Areas, to transport streams of solid waste in the AWCS pipe network from multiple private indoor and public outdoor waste inlets to separate enclosed centralized waste collection facilities for transport to off-site landfill, recycling, or compost facilities; conditioning the permit; making environmental findings under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Resolution No. 425-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

141034 [Street Encroachment - Avalon Bay Communities - Hickory Street Frontage of 307-323-325 Octavia Street]

Sponsor: Breed

Resolution granting revocable permission to Avalon Bay Communities to occupy a portion of the public right-of-way to construct and maintain improvements within Hickory Street between Octavia and Laguna Streets fronting 307-323-325 Hickory Street (Assessor's Block No. 0831, Lot No. 023), and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Resolution No. 426-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

Recommendations of the Neighborhood Services and Safety Committee

140697 [Donation of Obsolete Ambulance to City College of San Francisco]

Resolution authorizing the Fire Department to donate an obsolete ambulance to the Emergency Medical Services Academy of City College of San Francisco. (Fire Department)

Resolution No. 427-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

140698 [Donation of Obsolete Self-Contained Breathing Apparatuses to City College of San Francisco Fire Sciences Program]

Resolution authorizing the Fire Department to donate 30 obsolete Self-Contained Breathing Apparatuses to the City College of San Francisco Fire Sciences Program. (Fire Department)

Resolution No. 428-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

140914 [Liquor License - 533 Sutter Street]

Resolution determining that the issuance of a Type 64 general theatre license to 533 Sutter Street (District 3), to Matt Shelton for the Shelton Theater, will serve the public convenience or necessity of City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

Resolution No. 429-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

141008 [Urging the Successful Resolution of Negotiations between the San Francisco Unified School District and the United Educators of San Francisco]

Sponsors: Mar; Campos, Cohen and Avalos

Resolution urging the successful resolution of negotiations between the San Francisco Unified School District and the United Educators of San Francisco to avoid a strike and an interruption to the education of San Francisco's students.

Resolution No. 430-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

Recommendations of the Rules Committee

140909 [Administrative Code - Catastrophic Illness Programs]
Ordinance amending the Administrative Code to authorize the Department of Public Health to designate another City department to carry out various functions in the administration of the Catastrophic Illness Program for City employees and the Catastrophic Illness Program for family members of City employees. (Public Health Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

140953 [Environment Code - Revising the Urban Forestry Council Composition and Meeting Requirements]
Sponsor: Wiener
Ordinance amending the Environment Code to revise the composition and meeting schedule requirements for the Urban Forestry Council.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

141135 [Appointments, Mental Health Board - Deborah Hardy and Ulash Thakore-Dunlap]
Motion appointing Deborah Hardy and Ulash Thakore-Dunlap, terms ending January 31, 2016, to the Mental Health Board. (Rules Committee)

Motion No. M14-188

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Farrell, seconded by Supervisor Wiener, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

Supervisor Farrell introduced, welcomed, and presented a Certificate of Honor to Mark Youngkin, Jan Monaghan, and Julie Cheever of the Presidio Restoration Advisory Board in recognition of their accomplishments and continued community support.

Supervisors Wiener and Tang introduced, welcomed, and presented a Certificate of Honor to Mayor Frida, a pet Chihuahua, and Dean Clark, guardian, in recognition of their successful bid on the Animal Care & Control auction item "Your Pet is Mayor for the Day."

SPECIAL ORDER 3:00 P.M.

The President consolidated the two hearing matters (File Nos. 141059 and 141064) related to the 115 Telegraph Hill Boulevard project into one single hearing without objection.

141059 [Public Hearing - Appeal of Exemption from Environmental Review - 115 Telegraph Hill Boulevard]

Hearing of persons interested in or objecting to the determination of categorical exemption from environmental review under the California Environmental Quality Act issued by the Planning Department on September 3, 2014, for the proposed project at 115 Telegraph Hill Boulevard. (District 3) (Appellant: Susan Brandt-Hawley, on behalf of Telegraph Hill Dwellers) (Filed October 14, 2014). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Susan Brandt Hawley, Dr. Lawrence Karp, and Alice Barkley (Appellants) provided an overview of both the appeals, responded to questions raised throughout the discussion, and further requested the Board to approve the appeals. Male Speaker; Gary Near; Male Speaker; Sandra Lee Fewer; Jason Owens; Jim Yasso; Stan Hayes; Female Speaker; Peter Dwares; Peter Alexander; Michael Barrett; Andres Katz; John Stewart; Howard Wong; Patricia Sheehan; Nancy Shanahan; Judy Irving; Gerry Crowley; spoke in support of the appeals. AnMarie Rodgers, Jessica Range, and Elizabeth Watty (Planning Department) provided an overview of the decisions of the Planning Commission and Department and responded to questions raised throughout the discussion. Jeremy Ricks, Lewis Butler, and Daniel Frattin (Project Sponsors) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decisions of the Planning Commission and Department. Lewis Soapbox; Bran Askin; Vincent Troll; John Stewart; Dustin Hakesper; Robert Middlestaff; Female Speaker; Calvin Shan; Kyle Hotel; Bill Ricks; spoke in support of the project and in opposition to the appeals. Alice Barkley and Susan Brandt Hawley (Appellants) provided a rebuttal and further requested the Board to approve the appeals. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

141060 [Affirming the Exemption Determination - 115 Telegraph Hill Boulevard]

Motion affirming the determination by the Planning Department that a proposed project at 115 Telegraph Hill Boulevard is exempt from environmental review. (Clerk of the Board)

Motion No. M14-189

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Breed, Chiu, Cohen, Farrell, Tang, Wiener, Yee
Noes: 3 - Avalos, Kim, Mar
Excused: 1 - Campos

141061 [Reversing the Exemption Determination - 115 Telegraph Hill Boulevard]

Motion reversing the determination by the Planning Department that a proposed project at 115 Telegraph Hill Boulevard is exempt from environmental review. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Breed, Chiu, Cohen, Farrell, Tang, Wiener, Yee
Noes: 3 - Avalos, Kim, Mar
Excused: 1 - Campos

141062 [Preparation of Findings to Reverse the Exemption Determination - 115 Telegraph Hill Boulevard]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that a proposed project at 115 Telegraph Hill Boulevard is exempt from environmental review. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Breed, Chiu, Cohen, Farrell, Tang, Wiener, Yee
Noes: 3 - Avalos, Kim, Mar
Excused: 1 - Campos

SPECIAL ORDER 3:00 P.M.

The President consolidated the two hearing matters (File Nos. 141059 and 141064) into one single hearing noted above.

141064 [Public Hearing - Appeal of Conditional Use Authorization - 115 Telegraph Hill Boulevard]

Hearing of persons interested in or objecting to the Planning Commission's decision of September 11, 2014, Motion No. 19232, relating to approval of a Conditional Use Authorization (Case No. 2013.1375EC), to allow the construction of three new dwelling units (for a lot total of four units) with three off-street parking spaces within the RH-3 (Residential House, Three-Family) Zoning District, Telegraph Hill - North Beach Residential Special Use District and a 40-X Height and Bulk District located at 115 Telegraph Hill Boulevard, Assessor's Block No. 0105, Lot No. 065. (District 3) (Appellant: Vedica Puri, on behalf of Telegraph Hill Dwellers) (Filed October 14, 2014). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Susan Brandt Hawley, Dr. Lawrence Karp, and Alice Barkley (Appellants) provided an overview of both the appeals, responded to questions raised throughout the discussion, and further requested the Board to approve the appeals. Male Speaker; Gary Near; Male Speaker; Sandra Lee Fewer; Jason Owens; Jim Yasso; Stan Hayes; Female Speaker; Peter Dwares; Peter Alexander; Michael Barrett; Andres Katz; John Stewart; Howard Wong; Patricia Sheehan; Nancy Shanahan; Judy Irving; Gerry Crowley; spoke in support of the appeals. AnMarie Rodgers, Jessica Range, and Elizabeth Watty (Planning Department) provided an overview of the decisions of the Planning Commission and Department and responded to questions raised throughout the discussion. Jeremy Ricks, Lewis Butler, and Daniel Frattin (Project Sponsors) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decisions of the Planning Commission and Department. Lewis Soapbox; Bran Askin; Vincent Troll; John Stewart; Dustin Hakesper; Robert Middlestaff; Female Speaker; Calvin Shan; Kyle Hotel; Bill Ricks; spoke in support of the project and in opposition to the appeals. Alice Barkley and Susan Brandt Hawley (Appellants) provided a rebuttal and further requested the Board to approve the appeals. There were no other speakers. The President declared the public hearing closed.

Privilege of the floor was granted to Marlena Byrne (Office of the City Attorney) who responded to questions raised throughout the discussion on File Nos. 141065, 141066, and 141067.

HEARD AND FILED

141065 [Approving the Conditional Use Authorization Decision - 115 Telegraph Hill Boulevard]

Motion approving the decision of the Planning Commission by its Motion No. 19232, approving a Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Noes: 2 - Avalos, Mar
Excused: 1 - Campos

141066 [Disapproving the Planning Commission's Conditional Use Authorization Decision - Approving a Conditional Use Authorization - 115 Telegraph Hill Boulevard]

Motion disapproving the decision of the Planning Commission by its Motion No. 19232, approving a Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be AMENDED to disapprove the Planning Commission's decision, approve the project, and add eleven conditions. The motion carried by the following vote:

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Noes: 2 - Avalos, Mar
Excused: 1 - Campos

Motion disapproving the decision of the Planning Commission by its Motion No. 19232, approving a Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard; approving a Conditional Use Authorization for the same Planning Case and property with additional conditions; and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Motion No. M14-190

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Noes: 2 - Avalos, Mar
Excused: 1 - Campos

141067 [Preparation of Findings Related to the Conditional Use Authorization - 115 Telegraph Hill Boulevard]

Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Noes: 2 - Avalos, Mar
Excused: 1 - Campos

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

141166 [Public Hearing - Public Comment on Possible Nominations and Election of Board President]

Hearing to receive public comment on nominations and the opening of the election for the Office of Board President, in the event a vacancy occurs, to fill the unexpired portion of the term ending January 8, 2015, at 12:00 p.m. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 141166 and the subsequent nominations and election of the Board President. Female Speaker; Female Speaker; Male Speaker; Andy Duftin; expressed various concerns regarding the nomination and election of a Board President. Female Speaker; expressed her support of Supervisor Breed for Board President. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

NOMINATIONS FOR PRESIDENT OF THE BOARD

Supervisor Farrell nominated Supervisor Tang.

The President asked if there were any further nominations. There being no response the nominations for President of the Board of Supervisors were then closed.

Supervisor Mar was noted absent at 7:11 p.m.
Supervisor Avalos was noted absent at 7:13 p.m.

ELECTION OF THE PRESIDENT OF THE BOARD

The roll was called on the nomination of Supervisor Tang.

Motion to elect Supervisor Tang as President of the Board of Supervisors, in the event a vacancy occurs to fill the unexpired portion of the term ending January 8, 2015, at 12:00 p.m., PASSED by the following vote:

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Excused: 1 - Campos
Absent: 2 - Avalos, Mar

Supervisors Avalos and Mar were noted present at 7:14 p.m.

COMMITTEE REPORTS

Recommendations of the Budget and Finance Committee

140880 [Police Code - Hours and Retention Protections for Formula Retail Employees]
Sponsors: Mar; Chiu, Campos and Avalos

Ordinance amending the Police Code to regulate the operation of Formula Retail Establishments, including requiring employers to offer additional hours of work, when available, to current part-time employees; and requiring successor employers to retain employees for 90 days upon a change in control of the business.

(Economic Impact)

Privilege of the floor was granted to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion on File Nos. 140880 and 141024.

Supervisor Wiener, seconded by Supervisor Tang, moved that this Ordinance be AMENDED to change the formula retail definition from '11 locations' to '20 locations' worldwide. The motion carried by the following vote:

Ayes: 7 - Breed, Chiu, Cohen, Farrell, Mar, Tang, Wiener
Noes: 3 - Avalos, Kim, Yee
Excused: 1 - Campos

(Economic Impact)

Supervisor Breed, seconded by Supervisor Tang, moved that this Ordinance be AMENDED to remove 'property services contractors' from the requirements of this section. Supervisor Breed withdrew the motion.

Supervisor Breed, seconded by Supervisor Tang, moved that this Ordinance be AMENDED to remove the 'private right of action' requirements. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

(Economic Impact)

Supervisor Wiener, seconded by Supervisor Tang, moved that this Ordinance be CONTINUED AS AMENDED to November 25, 2014. The motion FAILED by the following vote:

Ayes: 4 - Breed, Farrell, Tang, Wiener
Noes: 6 - Avalos, Chiu, Cohen, Kim, Mar, Yee
Excused: 1 - Campos

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

141024 [Police Code - Fair Scheduling and Treatment of Formula Retail Employees]
Sponsors: Chiu; Mar

Ordinance amending the Police Code to require Formula Retail Establishments to provide employees with two weeks notice of work schedules, notice of changes to work schedules, and compensation for schedule changes made on less than seven days notice and unused on-call shifts; and to provide part-time employees with the same starting rate of hourly pay, access to time off, and eligibility for promotions, as provided to full-time employees.

Privilege of the floor was granted to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion on File Nos. 140880 and 141024.

Supervisor Wiener, seconded by Supervisor Tang, moved that this Ordinance be AMENDED to change the formula retail definition from '11 locations' to '20 locations' worldwide. The motion carried by the following vote:

Ayes: 7 - Breed, Chiu, Cohen, Farrell, Mar, Tang, Wiener
Noes: 3 - Avalos, Kim, Yee
Excused: 1 - Campos

Supervisor Tang, seconded by Supervisor Chiu, moved that this Ordinance be AMENDED on Page 12, Line 11, by making the requirements of the San Francisco Family Friendly Workplace Ordinance, Chapter 12Z, prevail when there is an unavoidable conflict. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

Supervisor Breed, seconded by Supervisor Tang, moved that this Ordinance be AMENDED to remove 'property services contractors' from the requirements of this section. Supervisor Breed withdrew the motion.

Supervisor Breed, seconded by Supervisor Tang, moved that this Ordinance be AMENDED to remove the 'private right of action' requirements. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

Supervisor Wiener, seconded by Supervisor Tang, moved that this Ordinance be CONTINUED AS AMENDED to November 25, 2014. The motion FAILED by the following vote:

Ayes: 4 - Breed, Farrell, Tang, Wiener
Noes: 6 - Avalos, Chiu, Cohen, Kim, Mar, Yee
Excused: 1 - Campos

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Male Speaker; expressed various religious concerns.
Male Speaker; expressed concerns regarding traffic congestion and ridesharing.
Walter Paulson; shared in song certain concerns with the Board.
Deborah Benedict; expressed concerns regarding Proposition 47.
Mike Casey; expressed concerns regarding nomination and election of a Board President.
Female Speaker; expressed concerns regarding nomination and election of a Board President.
Nissim Lanyadoo; expressed concerns regarding the Mayor candidacy.
Christopher Dahl; expressed various religious concerns.
Mario Yedidia; expressed concerns regarding nomination and election of a Board President.
Female Speaker; expressed concerns regarding free Muni.
Julie Prushu; expressed concerns regarding nomination and election of a Board President.
Patrick Conors; expressed concerns regarding nomination and election of a Board President.
Tammy Bryant; expressed concerns regarding nomination and election of a Board President.
Dan Rosay; expressed various concerns regarding breast cancer.
Trace Lander; expressed concerns regarding nomination and election of a Board President.
Frank Martinez; expressed various concerns.
Bobby Coleman; expressed concerns regarding nomination and election of a Board President.
Andy Duftin; expressed concerns regarding nomination and election of a Board President.
Patrick; expressed various concerns.
Female Speaker; expressed concerns regarding nomination and election of a Board President.
Peter Warfield; expressed concerns regarding nomination and election of a Board President, congratulated Supervisor Chiu on his successful election, and expressed additional concerns regarding public comment.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

141156 [Approval of a 60-Day Extension for Planning Commission Review of an Ordinance Amending the Planning Code to Permit Exceptions from Dwelling Unit Density Limits and from Other Specified Code Requirements (File No. 140954)]

Sponsor: Wiener

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 140954) amending the Planning Code to permit exceptions from dwelling unit density limits and other requirements of the Code when adding Dwelling Units to existing buildings undergoing seismic retrofitting; deleting the requirement that a new In-Law Unit constructed in and near the Castro Street Neighborhood Commercial District be limited to 750 square feet; correcting outdated cross-references and Code language; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Resolution No. 431-14

ADOPTED

141157 [Urging the Municipal Transportation Agency to Negotiate a Provision in the Upcoming Towing Contract that Eliminates or Reduces Fees Imposed on Victims of Motor Vehicle Theft]

Sponsors: Wiener; Tang

Resolution urging the Municipal Transportation Agency to include a provision in its 2015 towing contract that either waives all fees imposed on all victims of motor vehicle theft in San Francisco, or significantly reduces the towing fee and significantly extends the grace period during which victims of motor vehicle theft can recover their vehicles before incurring storage fees.

Supervisor Tang requested to be added as a co-sponsor.

Resolution No. 432-14

ADOPTED

141143 [Final Map 7545 - Hunters View Phase 2]

Motion approving Final Map No. 7545, a 377 unit mixed use residential and commercial condominium project within 5 buildable lots; approving a Public Improvement Agreement related to the Final Map; and adopting findings pursuant to the General Plan, the eight priority policies of Planning Code, Section 101.1, and the Hunters View Development Documents. (Public Works)

Motion No. M14-191

APPROVED

141164 [Final Transfer Map 8404 - 901 Gilman Avenue]

Motion approving Final Transfer Map 8404, a twenty-three-lot subdivision located within Assessor's Block No. 5000, Lot No. 1 and Assessor's Block No. 4977, Lot No. 6, comprised of lots (Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23), and established for conveyancing or financing purposes in furtherance of the Candlestick Point and Phase 2 Hunters Point Shipyard development; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M14-192

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Avalos requested that File No. 141165 be severed so that it may be considered separately.

141165 [Committee of the Whole - Receive Public Comment on Possible Nominations and Open Election of Board President]

Sponsor: Chiu

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on November 18, 2014, for the purpose of receiving public comment on nominations and to open the election for the Office of Board President, in the event a vacancy occurs, to fill the unexpired portion of the term ending January 8, 2015, at 12:00 p.m.

Supervisor Avalos, seconded by Supervisor Mar, moved that this Motion be REFERRED to Committee. The motion FAILED by the following vote:

Ayes: 4 - Avalos, Kim, Mar, Yee
Noes: 6 - Breed, Chiu, Cohen, Farrell, Tang, Wiener
Excused: 1 - Campos

Motion No. M14-194

APPROVED by the following vote:

Ayes: 6 - Breed, Chiu, Cohen, Farrell, Tang, Wiener
Noes: 4 - Avalos, Kim, Mar, Yee
Excused: 1 - Campos

Supervisor Kim requested that File No. 141152 be severed so that it may be considered separately.

141152 [Committee of the Whole - Consent to Successor Agency Actions Facilitating Interim Financing for Transbay Transit Center - Transbay Redevelopment Project Area - December 9, 2014]

Sponsor: Kim

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, acting in its capacity as the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, on December 9, 2014, at 3:00 p.m., to hold a public hearing to approve actions by the Commission on Community Investment and Infrastructure to subordinate property interest in a site designated for affordable housing in the Transbay Redevelopment Project Area for the construction of the Transbay Transit Center.

Supervisor Kim, seconded by Supervisor Avalos, moved that this Motion be AMENDED to change the Committee of the Whole hearing date from 'November 25, 2014' to 'December 9, 2014.' The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

Motion No. M14-193

Supervisor Kim, seconded by Supervisor Avalos, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Campos

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

140704 [Administrative Code - Providing Electric Power to City Departments and New Developments]

Sponsors: Wiener; Breed and Kim

Ordinance amending the Administrative Code to clarify the requirement for the City to provide electric service to City departments and facilities and to evaluate the feasibility of providing electric power to new developments and projects.

06/17/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/17/2014.

07/14/14; REFERRED TO DEPARTMENT.

11/18/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

140982 [Planning Code - Arcades in the Upper Market Street Neighborhood Commercial Transit District]

Sponsor: Wiener

Ordinance amending the Planning Code to permit arcades in the Upper Market Street Neighborhood Commercial Transit District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

09/16/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/16/2014.

09/29/14; REFERRED TO DEPARTMENT.

10/17/14; RESPONSE RECEIVED.

11/18/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

141181 [Public Employment - Amendment to the Annual Salary Ordinance for the Office of the Assessor-Recorder - FYs 2014-2015 and 2015-2016]

Sponsor: Farrell

Ordinance amending Ordinance No. 147-14 (Annual Salary Ordinance, FY2014-2015 and FY2015-2016) to reflect the addition of two Class 4214 Assessor-Recorder Office Specialist positions (1.16 FTE), one Class 4215 Assessor-Recorder Senior Office Specialist position (0.65 FTE), and two Class 4261 Real Property Appraiser positions (1.16 FTE) in the Office of Assessor-Recorder for the implementation of the State-County Assessors' Partnership Agreement Grant.

(Fiscal Impact)

11/18/14; ASSIGNED to Budget and Finance Committee.

Resolutions

141175 [Commending Supervisor David Chiu]

Sponsor: Board of Supervisors

Resolution commending and honoring Supervisor David Chiu for his distinguished service as President of the San Francisco Board of Supervisors.

11/18/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141182 [Accept and Expend Grant - Financial Empowerment Innovation Fund Contract - $442,996]

Sponsor: Mayor

Resolution retroactively authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to accept and expend an Innovation Fund Research Contract in the amount of $442,996 from the U.S. Department of the Treasury, Internal Revenue Service, for the period of September 30, 2014, through December 21, 2016.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141183 [Authorizing Participation in the CaliforniaFIRST Program - Renewable Energy Efficiency Program]

Sponsors: Mayor; Farrell

Resolution authorizing the City and County of San Francisco to join the CaliforniaFIRST Program; authorizing the California Statewide Communities Development Authority to accept applications from property owners, conduct contractual assessment proceedings, and levy contractual assessments within the territory of the City and County; and authorizing related actions as defined in the Resolution.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141184 [Authorizing Participation in the California Home Energy Renovation Opportunity Program - Renewable Energy Financing Program and Joint Powers Agreement Amendment]

Sponsors: Mayor; Farrell

Resolution consenting to the inclusion of properties within the City's jurisdiction in the California Home Energy Renovation Opportunity Program to finance distributed generation renewable energy sources, energy and water efficiency improvements, and electric vehicle charging infrastructure; and approving the amendment to a certain Joint Powers Agreement related thereto.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141185 [Authorizing Participation in the California Statewide Communities Development Authority Open PACE Program - Soft Story and Renewable Energy Financing]

Sponsors: Mayor; Farrell

Resolution consenting to the inclusion of properties within the territory of the City and County of San Francisco in the California Statewide Communities Development Authority (CSCDA) Open PACE Program; authorizing the CSCDA to accept applications from property owners, conduct contractual assessment proceedings, and levy contractual assessments within the territory of the City and County; and authorizing related actions as defined in the Resolution.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141186 [Accept and Expend Grant - San Francisco Parks Alliance - Up to $500,000]

Sponsor: Wiener

Resolution authorizing the Recreation and Park Department to accept and expend a grant of up to $500,000 from the San Francisco Parks Alliance to fund additive alternates in the construction budget for the children's play area in Joe DiMaggio Playground for the period of February 1, 2015, through June 1, 2016.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141187 [Authorizing the Issuance and Sale of Farebox Revenue Bonds by the Peninsula Corridor Joint Powers Board - Not to Exceed $11,000,000]

Sponsor: Cohen

Resolution authorizing the issuance and sale by the Peninsula Corridor Joint Powers Board of Farebox Revenue Bonds in an aggregate principal amount not expected to exceed $11,000,000.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141188 [Accept and Expend Grant - State-County Assessor's Partnership Agreement - $1,285,000]

Sponsor: Farrell

Resolution authorizing the Office of the Assessor-Recorder to accept and expend a State-County Assessor's Partnership Agreement Program Grant from the California State Department of Finance in the amount of $1,285,000 ($300,000 for FY2014-2015, $460,000 for FY2015-2016, and $525,000 for FY2016-2017) for the period of October 15, 2014, to June 30, 2017.
(Fiscal Impact)

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141189 [Credit Agreement - Goldman Sachs Bank USA - Transbay Joint Powers Authority - Not to Exceed $171,000,000]

Sponsor: Kim

Resolution approving a Credit Agreement for an amount not to exceed $171,000,000 from Goldman Sachs Bank USA to the Transbay Joint Powers Authority and making certain public benefit findings for the Transbay Transit Center program under California Government Code, Section 6586.5.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141190 [Authorizing the Nullification of the Current Four Priority Conservation Areas - Sutro Tower, Aquavista/Twin Peaks, Palou/Phelphs Open Space, and Bayview Radio Property]

Sponsor: Mar

Resolution authorizing the nullification of the current four Priority Conservation Areas: Sutro Tower, Aquavista/Twin Peaks, Palou/Phelphs Open Space, and Bayview Radio Property and allowing the Planning Department to further study the topic in order for the Board of Supervisors to consider new designations at a later date that align more closely with the policies and goals adopted by the City.

11/18/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

141191 [Accept and Expend Grant - Randall Museum Friends - Randall Museum Renovation Project - Not to Exceed $3,500,000]

Sponsor: Wiener

Resolution authorizing the Recreation and Park Department to accept and expend a grant not to exceed $3,500,000 from the Randall Museum Friends, for the enhancements to the Randall Museum Renovation Project at the Randall Museum, for the term of December 17, 2014, through August 31, 2016.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141192 [Interim Zoning Controls Six-Month Extension - Upper Market Street Neighborhood Commercial Transit District]

Sponsor: Wiener

Resolution extending for an additional six-month period interim zoning controls that require Conditional Use authorization for Limited Financial Service and Business or Professional Service uses in the Upper Market Neighborhood Commercial Transit District; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and with the eight priority policies of Planning Code, Section 101.1.

11/18/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

141193 [Urging the Municipal Transportation Agency to Implement Free Muni for Seniors and People with Disabilities]

Sponsors: Yee; Mar, Avalos, Kim and Campos

Resolution urging the Municipal Transportation Agency Board of Directors to implement a free Muni for seniors and people with disabilities program.

11/18/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

Motions

141194 [Committee of the Whole - Transbay Transit Center - Option Agreement Amendment for the Purchase and Sale of Real Property - Credit Agreement for an Amount Not to Exceed $171,000,000 - December 9, 2014]

Sponsor: Kim

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, on December 9, 2014, at 3:00 p.m., to hold a public hearing to authorize execution of the First Amendment to the Option Agreement for the Purchase and Sale of Real Property, and execute a consent to the conditions of the Transbay Joint Powers Authority's Bridge Loan Agreement; and approve a Credit Agreement for an amount not to exceed $171,000,000 from Goldman Sachs Bank USA to the Transbay Joint Powers Authority.

11/18/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141202 [Concurring in the Second Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]

Motion concurring in the "Rim Fire" Second Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

11/18/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141203 [Board of Supervisors Regular Meeting Schedule - 2015]

Motion establishing the 2015 Board of Supervisors Regular Meeting Schedule by cancelling the Board meetings of January 6th and 20th, February 17th, May 26th, June 30th, September 8th, October 13th, November 10th, and December 1st; and by further cancelling all Board and Committee meetings during the summer and winter breaks from July 29th through August 31st, and December 16, 2015, through January 4, 2016. (Clerk of the Board)

11/18/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

141195 [Hearing - Impact of Minimum Wage Increase on Small Businesses and City-Funded Nonprofits]

Sponsor: Avalos

Hearing to review the anticipated impact of the voter-approved increase in the minimum wage on small businesses and nonprofit City contractors; to review plans for educating and supporting small businesses and nonprofit City contractors that employ minimum wage workers; and requesting the Mayor's Office, the Controller, the Budget and Legislative Analyst, the Office of Small Business, and the Office of Economic and Workforce Development to report.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141196 [Hearing - Staffing Levels at the Office of Labor Standards and Enforcement]

Sponsor: Avalos

Hearing to review the current staffing levels at the Office of Labor Standards and Enforcement in light of their expanding enforcement mandates from the passage of recent labor laws.

11/18/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

141197 [Hearing - Update on the Municipal Transportation Agency's Muni Service Equity Strategy and the Increase in Baseline Funding from Proposition B]

Sponsor: Avalos

Hearing to review the status of the Municipal Transportation Agency's (MTA) Muni Service Equity Strategy adopted in the MTA Resolution No. 14-071, and how the increase in the MTA baseline funding from the passage of Proposition B will enable the MTA to implement recommendations from the Muni Service Equity Strategy.

11/18/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

141198 [Hearing - Impacts of Proposition 47 in San Francisco]

Sponsor: Cohen

Hearing to review the impacts of Proposition 47 on the City and County of San Francisco; and requesting City departments including, but not limited to, the Sheriff, Police, District Attorney, and Adult Probation to report.

11/18/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

141199 [Hearing - Police District Boundaries]

Sponsor: Kim

Joint hearing of the Neighborhood Services and Safety Committee and the San Francisco Police Commission on the proposed police district boundaries, and on the process by which the proposed boundaries were reviewed and adjusted, a comparison of the current boundaries and the proposed boundaries, and the factors which were taken into consideration, among other issues of interest; and requesting the Police Department and the Office of the Controller to report.

11/18/14; RECEIVED AND ASSIGNED to Joint Meeting - Neighborhood Services and Safety Committee and Police Commission.

141200 [Hearing - Tenderloin Pit Stop Public Toilet Program]

Sponsor: Kim

Hearing on the results of the Tenderloin Pit Stop Public Toilet Program; on what resources are currently being employed by the City, what costs and benefits have been identified after the six-month trial, what recommendations staff have to continue a safe and clean public toilet program, and the potential for expanding to other high need neighborhoods; and requesting Public Works to report.

11/18/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

141201 [Hearing - Vision Zero and Street Safety Project Delivery]

Sponsor: Wiener

Hearing on the delivery of Vision Zero and other street safety improvements; and requesting the Municipal Transportation Agency and Public Works to report.

11/18/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCE

141138 [Settlement of Lawsuit - Elvis Taouil - $50,000]

Ordinance authorizing settlement of the lawsuit filed by Elvis Taouil against the City and County of San Francisco for $50,000; the lawsuit was filed on August 8, 2013, in the United States District Court, Case No. C13-3674 DMR; entitled Elvis Taouil v. City and County of San Francisco, et al. (City Attorney)

10/31/14; RECEIVED FROM DEPARTMENT.

11/18/14; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

141159 [Emergency Work - Repairing Lower Cherry Aqueduct and Upgrading Sunol Valley Water Facilities Related to Drought Declaration - Not to Exceed $33,000,000]

Resolution approving emergency public work of the San Francisco Public Utilities Commission related to drought declaration under Administrative Code, Section 6.60, to perform immediate work to repair Lower Cherry Aqueduct, Sunol Valley Water Treatment Plant, San Antonio Pump Station, and related infrastructure with contract amounts not to exceed $35,000,000 collectively. (Public Utilities Commission)
(Fiscal Impact)

11/04/14; RECEIVED FROM DEPARTMENT.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141160 [Settlement of Claims - Wells Fargo - $248,565.92]

Resolution approving the settlement of four unlitigated claims filed by Wells Fargo against the City and County of San Francisco for $248,565.92; claims were filed on April 25, 2014. (City Attorney)

11/06/14; RECEIVED FROM DEPARTMENT.

11/18/14; RECEIVED AND ASSIGNED to Rules Committee.

141161 [Contract Agreement - Recology San Francisco, Recology Golden Gate, and Recology Sunset Scavenger - Refuse Collection - Not To Exceed $40,000,000]

Resolution approving under Charter, Section 9.118(b), a Contract Agreement between the City and County of San Francisco and Recology San Francisco, Recology Golden Gate, and Recology Sunset Scavenger (Contractors), for refuse services, resulting in total compensation to Contractors in an amount not to exceed $44,000,000 for the term of December 1, 2014, through November 30, 2020. (City Administrator)

11/07/14; RECEIVED FROM DEPARTMENT.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141162 [Master License Agreements - ExteNet Systems, LLC, and GTE Mobilnet of California, LP, d/b/a Verizon Wireless - Outdoor Distributed Antenna System Pole Installation]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Master License Agreements for Outdoor Distributed Antenna System Pole Installation between the City and County of San Francisco, ExteNet Systems (California), LLC, and GTE Mobilnet of California, LP, d/b/a Verizon Wireless, each for a term of 12 years to commence following Board approval. (Public Utilities Commission)

11/07/14; RECEIVED FROM DEPARTMENT.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141163 [Approval to Grant Easement for Installation of Subsurface Tiebacks and Related Surface Access - TUP Folsom, LLC - 923 Folsom Street Development Project]

Resolution approving the grant of an Easement for installation of subsurface tiebacks and related surface access on Assessor's Parcel Block No. 3753, Lot No. 313 to TUP Folsom, LLC, in connection with construction of the residential development project at 923 Folsom Street; making environmental findings, and adopting findings that the grant of easement is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution as defined. (Real Estate Department)

11/10/14; RECEIVED FROM DEPARTMENT.

11/18/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

In Memoriams

Danny Williams - Supervisor Wiener
Robin Reichert - Supervisor Wiener
Paula Minkus - Supervisor Yee
Sr. Master Sgt. William Cluster (Bill) Yancey – Supervisor Breed

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 7:17 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 16, 2014.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, November 25, 2014 - 2:00 PM

GOVERNMENT
DOCUMENTS DEPT

APR - 9 2015

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang	2nd and 4th Thursday 11:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Volume 109 Number 38

Members Present: John Avalos, London Breed, David Campos, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, Supervisors Cohen and Mar were not present. There was a quorum.

Supervisor Cohen Excused from Attendance

Supervisor Farrell, seconded by Supervisor Yee, moved that Supervisor Cohen be excused from attending today's meeting. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Tang, Wiener, Yee
Excused: 1 - Cohen
Absent: 1 - Mar

AGENDA CHANGES

There were none.

Supervisor Mar was noted present at 2:10 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Tang, moved to approve the Board Meeting Minutes of October 21, 2014. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, acknowledged receipt of the following communications:

- From the Office of Supervisor Cohen, dated November 10, 2014, stating the Supervisor will not be in attendance and requests to be excused from the November 25, 2014, Board of Supervisors meeting; and
- From Marilyn Amini (Appellant), dated November 14, 2014, for property located at 300 Wawona Street indicating the withdraw of the appeal; and
- From Jason Mulvaney (Appellant), dated November 20, 2014, for property located at 480 Potrero Avenue indicating the withdraw of the appeal.

CONSENT AGENDA

Recommendations of the Rules Committee

140947 [Settlement of Lawsuit - Carpenter's Union Local 22 - $60,000]

Ordinance authorizing settlement of the lawsuit filed by Carpenter's Local 22 against the City and County of San Francisco for $60,000; the lawsuit was filed on April 8, 2014, in United States District Court, Northern District of California, Case No. CV-14-01615 RS; entitled Carpenters Union, Local 22, v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 238-14

FINALLY PASSED

141056 [Settlement of Lawsuit - Michael P. Walsh, Trustee of the John L. Stevenson Trust - Execution of Long-Term Lease - Mowry East Shopping Center, Fremont, California]

Ordinance authorizing settlement of the lawsuit filed by Michael P. Walsh, Trustee of The John L. Stevenson Trust against the City and County of San Francisco by executing a long-term lease of the City's property for shopping center parking, access and landscaping at the Mowry East Shopping Center, Fremont, California; the lawsuit was filed on November 29, 2011, in Alameda County Superior Court, Case No. RG 11606118; entitled Michael P. Walsh, Trustee of The John L. Stevenson Trust v. City and County of San Francisco; other material terms of said settlement are that the plaintiff will pay fair market rent for portions of the leased premises used for parking, the parties will suspend their current dispute for the duration of the lease and the lease will govern the parties' relationship during the lease term, upon expiration or other termination of the lease, each party will retain its ability to assert the claims presented in the lawsuit, and the plaintiff will dismiss the lawsuit. (City Attorney)

Ordinance No. 242-14

FINALLY PASSED

141057 [Settlement of Lawsuit - Heinz Hofmann and Thomas Buckley - $200,000]

Ordinance authorizing settlement of the lawsuit filed by Heinz Hofmann and Thomas Buckley against the City and County of San Francisco for $200,000; the lawsuit was filed on May 7, 2012, in United States District Court for the Northern District of California, Case No. 11-4016 CW; entitled Heinz Hofmann and Thomas Buckley v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 243-14

FINALLY PASSED

141058 [Settlement of Lawsuit - Brian Hill - $30,400]

Ordinance authorizing settlement of the lawsuit filed by Brian Hill against the City and County of San Francisco for $30,400; the lawsuit was filed on March 5, 2009, in the San Francisco Superior Court, Case No. CGC 14-538953; entitled Brian Hill v. San Francisco Water Power Sewer, and Does 1 to 10. (City Attorney)

Ordinance No. 244-14

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

140880 [Police Code - Hours and Retention Protections for Formula Retail Employees]

Sponsors: Mar; Chiu, Campos and Avalos

Ordinance amending the Police Code to regulate the operation of Formula Retail Establishments, including requiring employers to offer additional hours of work, when available, to current part-time employees; and requiring successor employers to retain employees for 90 days upon a change in control of the business.
(Economic Impact)

Ordinance No. 236-14

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141024 [Police Code - Fair Scheduling and Treatment of Formula Retail Employees]

Sponsors: Chiu; Mar and Avalos

Ordinance amending the Police Code to require Formula Retail Establishments to provide employees with two weeks notice of work schedules, notice of changes to work schedules, and compensation for schedule changes made on less than seven days notice and unused on-call shifts; and to provide part-time employees with the same starting rate of hourly pay, access to time off, and eligibility for promotions, as provided to full-time employees.

Supervisor Avalos requested to be added as a co-sponsor.

Ordinance No. 241-14

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141097 [Administrative Code - Department of Public Health Managed Care Contracts]

Sponsors: Farrell; Chiu and Campos

Ordinance amending the Administrative Code to authorize the Director of Health to enter into managed care contracts for the provision of services to individuals covered under federal and state programs including subsidized health coverage for low income populations.

Ordinance No. 245-14

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Recommendation of the Land Use and Economic Development Committee

140981 [Administrative Code - Street Light Policy]

Sponsors: Wiener; Cohen and Breed

Ordinance amending the Administrative Code to provide a Street Light Policy; and to make relevant findings.

Ordinance No. 240-14

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Recommendations of the Neighborhood Services and Safety Committee

141001 [Administrative Code - Requiring City Contractors to Submit an Equal Pay Report and Establishing an Equal Pay Advisory Board]

Sponsors: Campos; Kim, Avalos, Mar and Farrell

Ordinance amending the Administrative Code to require certain City contractors and subcontractors with 20 or more employees to submit an Equal Pay Report regarding compensation paid to employees; and establishing the Equal Pay Advisory Board to analyze and recommend the best methods of data collection that will identify wage gaps, and setting forth the membership and duties of the Advisory Board.

Supervisor Campos, seconded by Supervisor Kim, moved that this Ordinance be AMENDED on Page 5, Lines 19, 20, 24, and 25, by changing 'September 30, 2015' to 'January 31, 2016'; and on Page 6, Lines 1 through 5, by changing '(D) To the extent any information in the Equal Pay Report qualifies as proprietary financial data or trade secret, the City shall not disclose the information unless required by law, including the California Public Records Act and the San Francisco Sunshine Ordinance' to '(D) If any information in the Equal Pay Report constitutes proprietary financial data, or confidential trade secret, or is protected by the right of privacy under the U.S. or California Constitution, the City shall not disclose such information unless required by law, including under the California Public Records Act and the San Francisco Sunshine Ordinance'. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Supervisor Tang, seconded by Supervisor Kim, moved that this Ordinance be AMENDED on Page 13, Line 5, by adding 'Board of Supervisors' after 'Human Rights Commission'. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Supervisor Avalos duplicated this file pursuant to Board Rule 5.31. See File No. 141209.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141209 [Administrative Code - Requiring City Contractors to Submit an Equal Pay Report and Establishing an Equal Pay Advisory Board]

Sponsors: Campos; Kim, Avalos, Mar and Farrell

Ordinance amending the Administrative Code to require certain City contractors and subcontractors with 20 or more employees to submit an Equal Pay Report regarding compensation paid to employees; and establishing the Equal Pay Advisory Board to analyze and recommend the best methods of data collection that will identify wage gaps, and setting forth the membership and duties of the Advisory Board.

Supervisor Avalos duplicated this file pursuant to Board Rule 5.31. See File No. 141001.

Supervisor Avalos, seconded by Supervisor Campos, moved that this Ordinance be RE-REFERRED to the Neighborhood Services and Safety Committee. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Recommendations of the Rules Committee

140909 [Administrative Code - Catastrophic Illness Programs]

Ordinance amending the Administrative Code to authorize the Department of Public Health to designate another City department to carry out various functions in the administration of the Catastrophic Illness Program for City employees and the Catastrophic Illness Program for family members of City employees. (Public Health Department)

Ordinance No. 237-14

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

140953 [Environment Code - Revising the Urban Forestry Council Composition and Meeting Requirements]

Sponsor: Wiener

Ordinance amending the Environment Code to revise the composition and meeting schedule requirements for the Urban Forestry Council.

Ordinance No. 239-14

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

NEW BUSINESS

Recommendations of the Budget and Finance Committee

141117 [Appropriation - Site Development and a Conditional Loan for an Office Project on Van Ness Avenue - Department of Building Inspection - $8,072,300 - FY2014-2015]

Sponsor: Mayor

Ordinance appropriating $8,072,300 from reserves to the Department of Building Inspection in FY2014-2015, for site development and a conditional loan for an office project on Van Ness Avenue.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141120 [Conditional Purchase Agreement - Goodwill SF Urban Development, LLC - 1500-1580 Mission Street - $326,690,953 Anticipated Project Cost]

Sponsor: Mayor

Ordinance approving and authorizing the Director of Property to execute a Conditional Land Disposition and Acquisition Agreement with Goodwill SF Urban Development, LLC, a Delaware limited liability company (Developer) for the proposed City acquisition of a portion of the real property at 1500-1580 Mission Street, located at the corner of South Van Ness Avenue and Mission Street (Assessors Block No. 3506, Lot Nos. 2 and 3), for approximately $30,296,640 plus approximately $25,884,132 in predevelopment costs, together with a Construction Management Agreement for the completion of an approximately 463,300 gross square foot office building anticipated to cost $270,510,181 for a total anticipated project cost of $326,690,953; exempting the project from contracting requirements in Administrative Code, Chapter 6, and Chapter 14B; and approving the Developer, architect, and general contractor without competitive bidding, but requiring the payment of prevailing wages, implementation of a local business enterprise utilization program, and compliance with the City's local hire policy and first source hiring Ordinance.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141121 [Contract Requirements - Municipal Transportation Agency Armed and Unarmed Security Services]

Sponsors: Avalos; Mar

Ordinance authorizing the Municipal Transportation Agency to include, in any contract for security services it executes within the next year after issuing a competitive solicitation, provisions that require: payment of prevailing wages by both the contractor and subcontractors to any individual providing security services under the contract, and transitional employment and retention for the prior contractor's employees as set forth in Administrative Code, Section 21C.7.
(Fiscal Impact)

Supervisor Mar requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Supervisor Avalos, seconded by Supervisor Kim, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Supervisor Avalos, seconded by Supervisor Breed, moved that this Ordinance be CONTINUED ON FIRST READING to December 9, 2014. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141014 [Construction Management Services Agreement Modification - Jacobs Project Management, Co. - General Hospital Rebuild Program - Not to Exceed $20,813,950]

Resolution authorizing the Director of Public Works to execute Modification No. 6 to a professional construction management services agreement with Jacobs Project Management Co. for the General Hospital Rebuild Program, increasing the contract not to exceed amount from $16,400,000 to $20,813,950. (Public Works)
(Fiscal Impact)

Resolution No. 434-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141033 [Real Property Lease - Tenant Improvements - Bayview Plaza, LLC - 3801 Third Street - $373,304 Rent in the Base Year - $865,098 Estimated Improvements Cost]

Resolution authorizing the lease of 15,083 square feet at 3801 Third Street for the Human Services Agency with Bayview Plaza, LLC, merging Suites 200, 205, 210, 230, 235, 240, and adding Suite 220, commencing upon approval by the Board of Supervisors and Mayor, in their respective sole and absolute discretion, at the monthly rent of $39,215.80 during improvements and alterations, and then $41,478.25 per month for five years after substantial completion of the tenant improvements, for a base year's rent total of $373,304; and Construction of Tenant Improvements in an estimated cost to the City of $865,098. (Real Estate Department)
(Fiscal Impact)

Resolution No. 433-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141035 [Engineering Services Agreement Amendment - URS Corporation - New Irvington Tunnel Project - $14,873,561]

Resolution approving and authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No. 4 to the professional services agreement for the New Irvington Tunnel Project with URS Corporation to increase the amount by $500,000 for a total revised agreement amount of $14,873,561 and extend the agreement term by one year for a total revised agreement term of ten years, through June 30, 2016, pursuant to Charter, Section 9.118. (Public Utilities Commission)
(Fiscal Impact)

Resolution No. 435-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141079 [Fixed Base Operator Lease and Operating Agreement Modification - Signature Flight Support Corporation - $70,511,537 Estimated Minimum Guarantee]

Resolution approving Modification No. 1 to Fixed Base Operator Lease and Operating Agreement No. 07-0106 between Signature Flight Support Corporation, and the City and County of San Francisco, acting by and through its Airport Commission, to extend the lease by five years, for a new expiration date of September 30, 2022, for an estimated minimum guarantee of $70,511,537 during the extension of the term. (Airport Commission)

Resolution No. 436-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141101 [Multifamily Housing Revenue Note - Hunters View Phase IIA - Not to Exceed $41,000,000]

Sponsor: Cohen

Resolution authorizing the issuance and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed $41,000,000 for the purpose of providing financing for the acquisition and construction of a 107-unit multifamily rental housing project known as Hunters View Phase IIA; approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the forms of and authorizing the execution of certain loan documents; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the note and the project; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters.

Resolution No. 437-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141124 [Issuance of Tax-Exempt Obligation - California College of the Arts - Not to Exceed $26,000,000]

Sponsor: Cohen

Resolution approving in accordance with the Internal Revenue Code, Section 147(f), the issuance of tax-exempt obligations by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $26,000,000 to finance and refinance various capital facilities owned by California College of the Arts or an affiliate.

Resolution No. 441-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141151 [Planning and Engineering Services Contract - Carollo Engineers, Inc. - New Southeast Plant Headworks Facility - Not to Exceed $14,000,000]

Sponsor: Mayor

Resolution authorizing the General Manager of the Public Utilities Commission to execute an agreement with Carollo Engineers, Inc., for specialized planning and engineering services for the proposed new headworks facility at the Southeast Water Pollution Control Plant for an amount not-to-exceed $14,000,000 and a six-year term to commence following Board approval. (Fiscal Impact)

Resolution No. 443-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Referred Without Recommendation from the Budget and Finance Committee

141102 [Mills Act Historical Property Contract - 68 Pierce Street]

Sponsor: Wiener

Resolution approving a Mills Act historical property contract under Administrative Code, Chapter 71, between Diarmuid R. Russell and Heather Podruchny, the owners of 68 Pierce Street, and the City and County of San Francisco for an initial term of ten years and for an amount to be defined to commence following Board approval; and authorizing the Planning Director and the Assessor to execute the historical property contract.

Resolution No. 438-14

ADOPTED by the following vote:

Ayes: 9 - Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Noes: 1 - Avalos
Excused: 1 - Cohen

141103 [Mills Act Historical Property Contract - 563-567 Waller Street]
Sponsor: Wiener
Resolution approving a Mills Act historical property contract under Administrative Code, Chapter 71, between Brandon Miller and Jay Zalewski, the owners of 563-567 Waller Street, and the City and County of San Francisco for an initial term of ten years and for an amount to be defined to commence following Board approval; and authorizing the Planning Director and the Assessor to execute the historical property contract.

Resolution No. 439-14

ADOPTED by the following vote:

Ayes: 9 - Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Noes: 1 - Avalos
Excused: 1 - Cohen

141104 [Mills Act Historical Property Contract - 621 Waller Street]
Sponsor: Wiener
Resolution approving an historical property contract under Administrative Code, Chapter 71, between Renee and Claude Zellweger, the owners of 621 Waller Street, and the City and County of San Francisco for an initial term of ten years and for an amount to be defined to commence following Board approval; and authorizing the Planning Director and the Assessor to execute the historical property contract.

Resolution No. 440-14

ADOPTED by the following vote:

Ayes: 9 - Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Noes: 1 - Avalos
Excused: 1 - Cohen

Recommendation of the Government Audit and Oversight Committee

141126 [Authorizing the Use of the City Seal for The Imperial Council of San Francisco's 50th Anniversary Gala; "The Imperial Council of San Francisco, Inc., 50th Anniversary Gala Day" - February 15, 2015]
Sponsors: Wiener; Chiu, Breed and Campos
Resolution authorizing the use of the Official Seal of the City and County of San Francisco by The Imperial Council of San Francisco in the promotion of its 50th Anniversary Gala at San Francisco City Hall on February 15, 2015; and declaring February 15, 2015, to be "The Imperial Council of San Francisco, Inc., 50th Anniversary Gala Day" in the City and County of San Francisco.

Supervisor Campos requested to be added as a co-sponsor.

Resolution No. 442-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Recommendations of the Land Use and Economic Development Committee

140875 [Planning Code - Amending the Third Street Alcohol Restricted Use District]

Sponsor: Cohen

Ordinance amending the Planning Code to amend the Third Street Alcohol Restricted Use District to allow Alcoholic Beverage Control Type 23, "Small Beer Manufacturer" Licenses; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

140878 [Administrative, Police Codes - Criminal History Inquiries for Employment and Housing]

Sponsors: Kim; Cohen and Breed

Ordinance amending the Administrative and Police Codes to narrow the definition of Property Contracts that are subject to limitations on criminal history inquiries; allow employers and City contractors to inquire about and consider infractions on driving records for positions involving driving; allow employers and City contractors to inquire about and consider a conviction that is more than seven years old for positions involving the supervision or care of minors, dependent adults, or seniors; authorize the City to bring a civil action against a housing provider that violates restrictions on criminal history inquiries; and provide that the criminal history inquiry restrictions in these Codes prevail over any existing conflicting City law.

Supervisor Breed requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141148 [Contracting Process - Van Ness Bus Rapid Transit Project]

Sponsor: Kim

Ordinance modifying the requirements of Administrative Code, Section 6.68, as applied to the proposed construction of the Van Ness Bus Rapid Transit Project, to authorize the Municipal Transportation Agency to, instead of a formal Request for Qualifications, issue a Request for Proposals (RFP) to potential construction managers/general contractors (CM/GC), to include their teams of core trade subcontractors, which RFP will contain minimum qualifications for the CM/GC and certain subcontractors; evaluate the CM/GC primarily on non-cost criteria; negotiate a guaranteed maximum price with the selected CM/GC when the design is sufficiently complete, provided the price is fair and reasonable; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Campos, seconded by Supervisor Avalos, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Sensei Eric Reed, Martial Arts Instructor, in recognition of his accomplishments and continued community support upon his retirement.

SPECIAL ORDER 3:00 P.M.

141046 **[Public Hearing - Appeal of Conditional Use Authorization - 395-26th Avenue]**
Hearing of persons interested in or objecting to the Planning Commission's decision of September 4, 2014, Motion No. 19229, relating to approval of a Conditional Use Authorization (Case No. 2013.0205CEKSV), to demolish two residential units on a property within the Outer Clement Street Neighborhood Commercial District (NCD), located at 395-26th Avenue, Assessor's Block No. 1407, Lot No. 017. (District 1) (Appellant: Stephen M. Williams) (Filed October 6, 2014). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Steve Williams (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. Bobby Cohen (Tenants' Union); Sue Vaughn (Sierra Club); Beverly Upton; spoke in support of the appeal. Walter Paulson; shared in song neither support nor opposition to the appeal. AnMarie Rodgers (Planning Department) provided an overview of the decision of the Planning Commission and responded to questions raised throughout the discussion. Jon Givner, Deputy City Attorney, responded to questions raised throughout the discussion. Alice Barkley (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. George Jew; Amy Lee; Jeffrey; Ryan Canoe; Andy Chen; Sharon Hilbert; spoke in support of the project and in opposition to the appeal. Steve Williams (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

141047 [Approving the Conditional Use Authorization Decision - 395-26th Avenue]

Motion approving the decision of the Planning Commission by its Motion No. 19229, approving Conditional Use Authorization identified as Planning Case No. 2013.0205CEKSV on property located at 395-26th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Yee, moved to CONTINUE this Motion to December 9, 2014. Supervisor Wiener withdrew the motion.

Supervisor Mar, seconded by Supervisor Breed, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141048 [Disapproving the Conditional Use Authorization Decision - 395-26th Avenue]

Motion disapproving the decision of the Planning Commission by its Motion No. 19229, approving a Conditional Use Authorization identified as Planning Case No. 2013.0205CEKSV on property located at 395-26th Avenue, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Yee, moved to CONTINUE this Motion to December 9, 2014. Supervisor Wiener withdrew the motion.

Motion No. M14-197

Supervisor Mar, seconded by Supervisor Breed, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141049 [Preparation of Findings Related to the Conditional Use Authorization - 395-26th Avenue]

Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Authorization identified as Planning Case No. 2013.0205CEKSV on property located at 395-26th Avenue. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Yee, moved to CONTINUE this Motion to December 9, 2014. Supervisor Wiener withdrew the motion.

Motion No. M14-198

Supervisor Mar, seconded by Supervisor Breed, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

SPECIAL ORDER 3:00 P.M.

141083 [Public Hearing - Appeal of Exemption from Environmental Review - 2853-2857 Broderick Street]

Hearing of persons interested in or objecting to the determination of categorical exemption from environmental review under the California Environmental Quality Act issued by the Planning Department on July 3, 2014, and approved during the Discretionary Review Hearing of the Planning Commission on September 18, 2014, to permit an existing three-story-over-basement, two-unit building located at 2853-2857 Broderick Street, Assessor's Block No. 0947, Lot No. 002, to be lifted 3 feet to insert a two-car garage within the basement level, as well as additional work including a dwelling unit merger from 2 units to 1 unit, a side horizontal addition at the south side façade, and vertical additions and rear façade alteration to construct dormers and a deck at the roof/attic level. (District 2) (Appellants: Irving Zaretsky, on behalf of himself, Zeeva Kardos, and Kate Polevoi; Tim Arcuri) (Filed October 20, 2014). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. There were no speakers. The President declared public comment closed.

Supervisor Farrell, seconded by Supervisor Kim, moved that this Hearing be CONTINUED to December 9, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

The President CONTINUED the Hearing to December 9, 2014, at 3:00 p.m.

141084 [Affirming the Exemption Determination - 2853-2857 Broderick Street]

Motion affirming the determination by the Planning Department that a proposed project at 2853-2857 Broderick Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Kim, moved that this Motion be CONTINUED to December 9, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141085 [Reversing the Exemption Determination - 2853-2857 Broderick Street]

Motion reversing the determination by the Planning Department that a proposed project at 2853-2857 Broderick Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Kim, moved that this Motion be CONTINUED to December 9, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141086 [Preparation of Findings to Reverse the Exemption Determination - 2853-2857 Broderick Street]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that a proposed project at 2853-2857 Broderick Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Kim, moved that this Motion be CONTINUED to December 9, 2014, at 3:00 p.m. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

SPECIAL ORDER 3:00 P.M.

141087 [Public Hearing - Appeal of Exemption from Environmental Review - 300 Wawona Street]

Hearing of persons interested in or objecting to the determination of categorical exemption from environmental review under the California Environmental Quality Act issued by the Planning Department on May 12, 2014, and approved during the Discretionary Review Hearing of the Planning Commission on September 18, 2014, for the proposed project at 300 Wawona Street. (District 7) (Appellant: Marilyn Amini) (Filed October 20, 2014). (Clerk of the Board)

The President restated the Clerk of the Board's communication of the withdrawal from the appellant and inquired as to whether any member of the public wished to address the Board. There were no speakers. The President declared the public hearing closed.

HEARD AND FILED

141088 [Affirming the Exemption Determination - 300 Wawona Street]

Motion affirming the determination by the Planning Department that a proposed project at 300 Wawona Street is exempt from environmental review. (Clerk of the Board)

Motion No. M14-195

Supervisor Avalos, seconded by Supervisor Mar, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141089 [Reversing the Exemption Determination - 300 Wawona Street]

Motion reversing the determination by the Planning Department that a proposed project at 300 Wawona Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Avalos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141090 [Preparation of Findings to Reverse the Exemption Determination - 300 Wawona Street]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that a proposed project at 300 Wawona Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Avalos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

SPECIAL ORDER 3:00 P.M.

141139 [Public Hearing - Appeal of Tentative Map - 480 Potrero Avenue]

Hearing of persons interested in or objecting to the decision of Public Works dated October 24, 2014, approving a Tentative Map for a 75 Residential Unit and One Commercial Unit Mixed-use New-Construction Condominium Project located at 480 Potrero Avenue, Assessor's Block No. 3973, Lot No. 002C. (District 10) (Appellant: Jason Mulvaney) (Filed November 3, 2014). (Clerk of the Board)

The President restated the Clerk of the Board's communication of the withdrawal from the appellant and inquired as to whether any member of the public wished to address the Board. There were no speakers. The President declared the public hearing closed.

HEARD AND FILED

141140 [Approving Decision of Public Works and Approving the Tentative Map - 480 Potrero Avenue]

Motion approving decision of Public Works and approving the Tentative Map for a 75 Residential Unit and One Commercial Unit Mixed-use New-Construction Condominium Project located at 480 Potrero Avenue, Assessor's Block No. 3973, Lot No. 002C; making environmental findings and findings of consistency with the City's General Plan and eight priority policies of San Francisco Planning Code, Section 101.1. (Clerk of the Board)

Motion No. M14-196

Supervisor Mar, seconded by Supervisor Avalos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141141 [Disapproving Decision of Public Works and Disapproving the Tentative Map - 480 Potrero Avenue]

Motion disapproving decision of Public Works and disapproving the Tentative Map for a 75 Residential Unit and One Commercial Unit Mixed-use New-Construction Condominium Project located at 480 Potrero Avenue, Assessor's Block No. 3973, Lot No. 002C; making environmental findings and findings of consistency with the City's General Plan and eight priority policies of San Francisco Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Avalos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141142 [Preparation of Findings Related to the Tentative Map - 480 Potrero Avenue]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Map for a 75 Residential Unit and One Commercial Unit Mixed-use New-Construction Condominium Project located at 480 Potrero Avenue, Assessor's Block No. 3973, Lot No. 002C. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Avalos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

COMMITTEE REPORTS

Recommendations of the Government Audit and Oversight Committee

140999 [Administrative Code - 14B Local Business Enterprise Program]

Sponsors: Mayor; Farrell and Cohen

Ordinance amending the Administrative Code to comprehensively revise the Local Business Enterprise (LBE) and Non-Discrimination in Contracting Ordinance (Chapter 14B) to: 1) codify the transfer of implementation and enforcement of Chapter 14B from the Human Rights Commission to the City Administrator and Contract Monitoring Division; 2) require the Mayor to annually set an overall City-wide LBE participation goal of not less than 40% of the value of upcoming contracts; 3) increase the LBE certification size thresholds for small and micro LBEs; 4) increase the bid discount allowed to SBA-LBEs on contracts between $10,000 and $10,000,000; 5) require Administrative Code, Chapter 56, development agreements to include an LBE utilization plan and be subject to certain Chapter 14B provisions; 6) authorize preparation of an implementation plan for a LBE contractor advance program to fund loans to subcontractors; 7) require the City to make good faith efforts to obtain at least three bids from micro or small LBEs for contracts under the threshold or minimum competitive amounts; 8) establish a Mentor-Protégé Program between established successful contractors and LBEs; 9) require separate LBE participation on design and construction portions of design-build construction contracts; 10) repeal Ordinance No. 97-10 relating to completion of the Bayview Branch Library Construction Project; and 11) make various other changes in Chapter 14B.
(Fiscal Impact)

Supervisor Farrell requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141161 [Contract Agreement - Recology San Francisco, Recology Golden Gate, and Recology Sunset Scavenger - Refuse Collection - Not To Exceed $40,000,000]

Resolution approving under Charter, Section 9.118(b), a Contract Agreement between the City and County of San Francisco and Recology San Francisco, Recology Golden Gate, and Recology Sunset Scavenger (Contractors), for refuse services, resulting in total compensation to Contractors in an amount not to exceed $44,000,000 for the term of December 1, 2014, through November 30, 2020. (City Administrator)

Resolution No. 444-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Recommendations of the Land Use and Economic Development Committee

140704 [Administrative Code - Providing Electric Power to City Departments and New Developments]

Sponsors: Wiener; Breed and Kim

Ordinance amending the Administrative Code to clarify the requirement for the City to provide electric service to City departments and facilities and to evaluate the feasibility of providing electric power to new developments and projects.

Privilege of the floor was granted to Jon Givner, Deputy City Attorney, who responded to questions raised throughout the discussion.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

141096 [Planning Code - Height Exemptions for Hospitals]

Sponsor: Wiener

Ordinance amending the Planning Code to allow exemptions above the height limit for hospital mechanical equipment in hospitals that are legal non-compliant structures with regard to height; and making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Male Speaker; expressed various religious concerns.
Christopher Dahl; expressed various concerns relating to electing the President of the Board and associated process.
Mark Major; expressed various concerns relating to civil rights and hate crimes.
Walter Paulson; shared in song certain concerns with the Board.
Nancy Ross; expressed gratitude to the current President of the Board.
Beverly Upton; expressed gratitude to the current President of the Board.
Tom Gilberty; expressed various concerns relating to celebration of life.
Larry Edmund Juizye; expressed various concerns.
David Choi; expressed various concerns relating to courses at City College of San Francisco.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

141194 [Committee of the Whole - Transbay Transit Center - Option Agreement Amendment for the Purchase and Sale of Real Property - Credit Agreement for an Amount Not to Exceed $171,000,000 - December 9, 2014]

Sponsor: Kim

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, on December 9, 2014, at 3:00 p.m., to hold a public hearing to authorize execution of the First Amendment to the Option Agreement for the Purchase and Sale of Real Property, and execute a consent to the conditions of the Transbay Joint Powers Authority's Bridge Loan Agreement; and approve a Credit Agreement for an amount not to exceed $171,000,000 from Goldman Sachs Bank USA to the Transbay Joint Powers Authority.

Motion No. M14-199

APPROVED

141202 [Concurring in the Second Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]

Motion concurring in the "Rim Fire" Second Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

Motion No. M14-200

APPROVED

141176 [Final Map 7747 - 1541 Filbert Street]

Motion approving Final Map 7747, a six residential unit condominium project, located at 1541 Filbert Street, being a subdivision of Assessor's Block No. 0527, Lot No. 022, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

Motion No. M14-201

APPROVED

141177 [Final Map 7930 - 188-194 Noe Street]

Motion approving Final Map 7930, a six residential unit condominium project, located at 188-194 Noe Street, being a subdivision of Assessor's Block No. 3540, Lot No. 013, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

Motion No. M14-202

APPROVED

141178 [Final Map 8202 - 2194-2198 15th Street and 179-183 Noe Street]

Motion approving Final Map 8202, a five residential unit and one commercial unit, mixed-use condominium project, located at 2194-2198 15th Street and 179-183 Noe Street, being a subdivision of Assessor's Block No. 3541, Lot No. 027, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

Motion No. M14-203

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Tang requested that File No. 141175 be severed so that it may be considered separately.

141175 [Commending Supervisor David Chiu]

Sponsor: Board of Supervisors

Resolution commending and honoring Supervisor David Chiu for his distinguished service as President of the San Francisco Board of Supervisors.

Resolution No. 415-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Supervisor Wiener requested that File No. 141203 be severed so that it may be considered separately.

141203 [Board of Supervisors Regular Meeting Schedule - 2015]

Motion establishing the 2015 Board of Supervisors Regular Meeting Schedule by cancelling the Board meetings of January 6th and 20th, February 17th, May 26th, June 30th, September 8th, October 13th, November 10th, and December 1st; and by further cancelling all Board and Committee meetings during the summer and winter breaks from July 29th through August 31st, and December 16, 2015, through January 4, 2016. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Avalos, moved that this Motion be AMENDED by suspending Board Rule 4.2 and striking 'December 1, 2015' and replacing with 'November 24, 2015'; and on Page 2, beginning on Line 10, by adding 'FURTHER MOVED, That there shall be no Committee meetings during the week of November 23, 2015, to enable staff to finalize the Board agenda and packet materials during the holiday week of Thanksgiving; and, be it'. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Motion establishing the 2015 Board of Supervisors Regular Meeting Schedule by suspending Board Rule 4.2 and by cancelling the Board meetings of January 6th and 20th, February 17th, May 26th, June 30th, September 8th, October 13th, November 10th, and November 24th; and by further cancelling all Board and Committee meetings during the summer and winter breaks from July 29th through August 31st, and December 16, 2015, through January 4, 2016. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Wiener, moved that this Motion be AMENDED by suspending Board Rule 4.2 and striking 'September 8, 2015' and replacing with 'September 1, 2015'. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

Motion establishing the 2015 Board of Supervisors Regular Meeting Schedule by suspending Board Rule 4.2 and by cancelling the Board meetings of January 6th and 20th, February 17th, May 26th, June 30th, September 1st, October 13th, November 10th, and November 24th, and by further cancelling all Board and Committee meetings during the summer and winter breaks from July 29th through August 31st, and December 16, 2015, through January 4, 2016. (Clerk of the Board)

Motion No. M14-204

APPROVED AS AMENDED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Cohen

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

110548 [Planning Code - Signs, Awnings, Canopies, and Marquees]

Sponsor: Wiener

Ordinance amending the Planning Code to consolidate the definitions and controls for awnings, canopies, and marquees into a single section and revise the controls for certain zoning districts; require a Business Sign to be removed or brought into conformity with the Code when the business ceases operation, moves, or a new building is constructed; prohibit the relocation of General Advertising Signs into the Van Ness corridor and specified Neighborhood Commercial Districts; and add The Embarcadero to the list of Scenic Streets where General Advertising Signs are prohibited; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

05/03/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/2/2011.

05/12/11; REFERRED TO DEPARTMENT.

08/25/11; RESPONSE RECEIVED.

10/13/11; RESPONSE RECEIVED.

04/09/12; RESPONSE RECEIVED.

05/31/12; RESPONSE RECEIVED.

09/06/12; REMAIN ACTIVE.

05/09/13; REMAIN ACTIVE.

10/29/13; REMAIN ACTIVE.

06/02/14; REMAIN ACTIVE.

06/24/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

07/16/14; REFERRED TO DEPARTMENT.

07/25/14; RESPONSE RECEIVED.

11/25/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

140884 [Administrative Code - Establishing the Gun Violence Prevention Task Force]

Sponsors: Cohen; Avalos

Ordinance amending the Administrative Code to establish the Gun Violence Prevention Task Force to advise City departments and policymakers on methods to reduce gun violence in the City; and setting forth the membership and duties of the Task Force.

07/29/14; RECEIVED AND ASSIGNED to Rules Committee.

08/05/14; REFERRED TO DEPARTMENT.

11/25/14; SUBSTITUTED AND ASSIGNED to Rules Committee.

141210 [Planning and Administrative Codes - Definition and Controls for Homeless Shelters to Comply with State Law]

Sponsor: Mayor

Ordinance amending the Planning Code to define Homeless Shelter and to establish zoning, open space, and parking policies for this use in compliance with California Government Code requirements; amending the Administrative Code to require contracts between the City and shelter operators to contain operational standards; and affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the City's General Plan, and the eight priority policies of Planning Code, Section 101.1.

11/25/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/24/2014.

141211 [De-Appropriation and Re-Appropriation - $1,400,000 of Water System Improvement Program for Public Utilities Commission - FY2014-2015]

Sponsor: Mayor

Ordinance de-appropriating $1,400,000 in existing Water System Improvement Program (WSIP) Regional Groundwater & Recovery Project budgets approved by Ordinance No. 311-08 and re-appropriating the funds to Water System Improvement Program (WSIP) Bond/Commercial Paper expense.
(Fiscal Impact)

11/25/14; ASSIGNED to Budget and Finance Committee.

141214 [Appropriation - General Obligation Refunding Bonds of $430,000,000 - FY2014-2015]

Sponsor: Mayor

Ordinance appropriating $430,000,000 of one or more series of General Obligation Refunding Bond proceeds and placing all of these funds on Controller's Reserve pending the sale of the General Obligation Refunding Bond Proceeds in one or more series.

11/25/14; ASSIGNED to Budget and Finance Committee.

141215 [Administrative Code - Establishing the Children, Youth and Their Families Oversight and Advisory Committee and a Service Provider Working Group]

Sponsor: Avalos

Ordinance amending the Administrative Code to establish a Children, Youth and Their Families Oversight and Advisory Committee, and a Service Provider Working Group, as provided in Charter, Section 16.108-1.

11/25/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/24/2014.

141216 [Campaign and Governmental Conduct Code - Removal of Permit Consultant Disclosure Requirement - Income Received for Services]

Sponsor: Breed

Ordinance amending the Campaign and Governmental Conduct Code to remove the requirement that permit consultants disclose income received for their services.

11/25/14; ASSIGNED to Government Audit and Oversight Committee.

141217 [Accept and Expend Grant - Alcohol and Drug Impaired Driver Vertical Prosecution Program - Amendment to the Annual Salary Ordinance - $287,624]

Sponsor: Cohen

Ordinance retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of $287,624 from the California Office of Traffic Safety for the Alcohol and Drug Impaired Driver Vertical Prosecution Program, and amending Ordinance No. 147-14 (Annual Salary Ordinance, FYs 2014-2015 and 2015-2016) to reflect the addition of one grant-funded Class 8177 Attorney position (FTE 0.75) for the period of October 1, 2014, through September 30, 2015.

11/25/14; ASSIGNED to Budget and Finance Committee.

Resolutions

141105 [Supporting the Creation of Open Source Voting Systems - Studying New Models of Voting System Development]

Sponsors: Wiener; Mar, Cohen and Kim

Resolution committing the City and County of San Francisco to work with the California Association of Voting Officials and other jurisdictions and organizations to create new voting systems using open source software; and to study the feasibility of the City and County of San Francisco developing and using a new voting system, either whole or in part, through a collaborative model like the Los Angeles County Voting Systems Assessment Project.

10/21/14; RECEIVED AND ASSIGNED to Rules Committee.

10/28/14; REFERRED TO DEPARTMENT.

11/25/14; SUBSTITUTED AND ASSIGNED to Rules Committee.

141187 [Authorizing the Issuance and Sale of Farebox Revenue Bonds by the Peninsula Corridor Joint Powers Board - Not to Exceed $11,000,000]

Sponsor: Cohen

Resolution authorizing the issuance and sale by the Peninsula Corridor Joint Powers Board of Farebox Revenue Bonds in an aggregate principal amount not to exceed $11,000,000; and authorizing related actions as defined in herein.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

11/25/14; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

141212 [Accept and Expend Grant - Regional Groundwater Storage and Recovery Project Phase 1A - South Westside Groundwater Basin, Northern San Mateo County - $1,400,000]

Sponsor: Mayor

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of $1,400,000 from the California Department of Water Resources for the Regional Groundwater Storage and Recovery Project Phase 1A - South Westside Groundwater Basin, Northern San Mateo County.

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141213 [General Obligation Refunding Bonds Issuance - Not to Exceed $430,000,000]

Sponsors: Mayor; Breed

Resolution authorizing the issuance of One or More Series of City and County of San Francisco General Obligation Refunding Bonds in an amount not to exceed $430,000,000; approving the form of and authorizing the distribution of a Preliminary Official Statement relating to the issuance of City and County of San Francisco General Obligation Refunding Bonds and authorizing the preparation, execution, and delivery of a final Official Statement; ratifying the approvals and terms and conditions of Resolution No. 448-11; and related matters as defined herein.

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141218 [Issuance of Special Tax Bonds - Community Facilities District No. 2014-1 - Not to Exceed $1,400,000,000]

Sponsors: Mayor; Kim

Resolution authorizing the issuance and sale of not to exceed $1,400,000,000 Special Tax Bonds for City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) and determining other matters in connection therewith.

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141219 [Accept and Expend Grant - H-1B Ready to Work Partnership Grant - $980,000]

Sponsor: Mayor

Resolution retroactively authorizing the Office of Economic and Workforce Development to accept and expend a grant in the amount of $980,000 from the North Valley Workforce Board for the H-1B Ready to Work projects during the period of November 1, 2014, through October 31, 2018.

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141220 [Accept and Expend Grant - GO-Biz Capital Infusion Program - $60,000]

Sponsor: Mayor

Resolution retroactively authorizing the Office of Economic and Workforce Development to accept and expend a grant in the amount of $60,000 from the Humboldt State University Sponsored Programs Foundation for the GO-Biz Capital Infusion Program for the period of October 1, 2014, through September 30, 2015.

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141221 [Accept and Expend Grant - Large Landscape Water Conservation Program - $234,300]

Sponsor: Mayor

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of $234,000 from State grant funds for its Large Landscape Water Conservation Program.
(Fiscal Impact; No Budget and Legislative Analyst Report.)

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141222 [Extending the Term for the Balboa Park Station Community Advisory Committee]

Sponsor: Avalos

Resolution extending the term for the Balboa Park Station Area Plan Community Advisory Committee to provide continued input and community oversight to area transportation and other public improvements.

11/25/14; RECEIVED AND ASSIGNED to Rules Committee.

141223 [Declaration of Election Results - November 4, 2014 - Consolidated General Election]

Sponsor: Tang

Resolution declaring the results of the November 4, 2014, Consolidated General Election.

11/25/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141224 [Agreement - New Flyer of America, Inc. - Purchase of Low-Floor Diesel-Hybrid Buses - Not to Exceed $68,257,536]

Sponsors: Cohen; Breed and Mar

Resolution approving an agreement with New Flyer of America, Inc., for the purchase of 61 60-foot low-floor diesel-hybrid buses, related tools, training, and spare parts in an amount not to exceed $68,257,536 and for a term not to exceed six years to commence following Board approval.
(Fiscal Impact)

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141225 [Multifamily Housing Revenue Bonds - Alice Griffith Phase 1 Apartments Project - Not to Exceed $32,500,000]

Sponsor: Cohen

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed $32,500,000 for the purpose of providing financing for the acquisition and construction of a 93-unit multifamily rental housing project known as Alice Griffith Phase 1 Apartments Project, 2600 Arelious Walker Drive, in San Francisco, California; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary as defined herein to implement this Resolution; and related matters as defined herein.

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141226 [Multifamily Housing Revenue Bonds - Alice Griffith Phase 2 Apartments Project - Not to Exceed $32,500,000]

Sponsor: Cohen

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed $32,500,000 for the purpose of providing financing for the acquisition and construction of a 91-unit multifamily rental housing project known as Alice Griffith Phase 2 Apartments Project, 2600 Arelious Walker Drive, San Francisco, California; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary as defined herein to implement this Resolution; and related matters as defined herein.

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141227 [Association of Bay Area Governments Revenue Bond Issuance - Presidio Knolls School - Not to Exceed $13,500,000]

Sponsor: Kim

Resolution approving for purposes of Internal Revenue Code, Section 147(f), the Issuance and Sale of Revenue Bonds by the Association of Bay Area Governments Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $13,500,000 to finance or refinance the acquisition, construction, equipping and/or furnishing of K-12 educational facilities to be owned and operated by Presidio Knolls School, a California nonprofit public benefit corporation.

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141228 [Real Property Conveyance - Land Dedication by Archstone Concourse, LLC - 600-7th Street - Inclusionary Affordable Housing]

Sponsor: Kim

Resolution approving and authorizing an agreement for the conveyance of a parcel of real estate, consisting of approximately 37,800 square feet (approximately 0.87 acre) of land, within Block No. 3783 in San Francisco County to the Mayor's Office of Housing and Community Development pursuant to the land dedication process permitted under Planning Code, Section 419; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan, and the eight priority policies of City Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution as defined herein.

11/25/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

141229 [Authorizing Expenditures - SoMa Community Stabilization Fund - $500,000]

Sponsor: Kim

Resolution authorizing the Mayor's Office of Housing and Community Development to expend SoMa Community Stabilization Fund in the amount of $500,000 for the acquisition of a community facility and for college preparatory service connection.
(Fiscal Impact)

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141230 [Multifamily Housing Revenue Bonds - 588 Mission Bay Boulevard North (also known as Mission Bay South Block 7 West) - Not to Exceed $62,500,000]

Sponsor: Kim

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $62,500,000 for 588 Mission Bay Boulevard North (also known as Mission Bay South Block 7 West), San Francisco, California 94107; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $ 62,500,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141231 [Interim Zoning Controls - New Massage Establishments]

Sponsor: Tang

Resolution imposing interim zoning controls requiring conditional use authorization for any new massage establishments, for eighteen months; and making findings, including environmental findings, and findings of consistency with the eight priority policies of Planning Code, Section 101.1.

11/25/14; ASSIGNED to Land Use and Economic Development Committee.

141234 [Affirming the Board of Supervisors Commitment to Equal Justice and the Right to Protest and Urging Reforms in National Policing and Judicial Practices]

Sponsor: Avalos

Resolution urging the Department of Justice to expedite its investigation of the fatal shooting of Michael Brown, to initiate reforms of the Ferguson Police Department and St. Louis County Police Department, and to investigate the St. Louis County Grand Jury process.

11/25/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

141232 [Hearing - Update on the City Complaint that Pacific Gas and Electric has Unreasonably Denied Service to the City]

Sponsor: Avalos

Hearing to receive updates on the complaint filed by the City Attorney against Pacific Gas and Electric (PG&E), which alleges that PG&E has unreasonably denied services to the CIty, on negotiations between the City and PG&E regarding the expiration of the Interconnection Agreement in July 2015, and on what possible recourse the City has if PG&E fails to negotiate in good faith.

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141233 [Hearing - Proposed Uniform Shelter Rules]
Sponsor: Kim
Hearing on proposed uniform shelter rules, including, but not limited, to the underlying reasons necessitating the promulgation of such rules and alternative options other than immediate denial of services and the imposition of uniform rules; and requesting the Human Services Agency, the Department of Public Health, and the Mayor's Office on Disability to report.

11/25/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCE

141174 [Settlement of Lawsuit - Paul Haynes - $110,000]
Ordinance authorizing settlement of the lawsuit filed by Paul Haynes against the City and County of San Francisco, Andrew Guillory, Lenida Reyes and Stephen Yeung, for $110,000; the lawsuit was filed on April 8, 2013, in United States District Court for the Northern District of California, Case No. 13-1567 MEJ; entitled Paul Haynes v. City and County of San Francisco, et al. (City Attorney)

11/17/14; RECEIVED FROM DEPARTMENT.

11/25/14; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTION

141180 [Contract Agreement - State Department of Health Care Services - Substance Use Disorder Services - FYs 2014-2017 - $33,250,026]
Resolution retroactively authorizing the San Francisco Department of Public Health, Behavioral Health Services (DPH-BHS) to enter into a multi-year contract for Substance Use Disorder Services with the State Department of Health Care Services (DHCS) for the term of July 1, 2014, through June 30, 2017, in the amount of $33,250,026 and authorizing and designating the DPH County Alcohol and Drug Administrator to sign said Agreement and to approve amendments for less than 10% of the contracted amount. (Public Health Department)
(Fiscal Impact; No Budget and Legislative Analyst Report.)

11/17/14; RECEIVED FROM DEPARTMENT.

11/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriams

Michael Marquez - Supervisor Wiener
Enrique Del Valle - Supervisor Campos

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:37 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 16, 2014.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

APR - 9 2015

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PUBLIC LIBRARY

Tuesday, December 9, 2014 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

KATY TANG, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang	2nd and 4th Thursday 11:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Volume 109 Number 39

Members Present: John Avalos, London Breed, David Campos, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll, Supervisor Mar was not present. There was a quorum.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

President Tang inquired whether any Board Member had any corrections to the Board Meeting Minutes of October 28, 2014, and November 4, 2014. There were no corrections. Following general public comment, the above referenced minutes were received without objection.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that pursuant to the actions taken by the Board at the Regular Meeting of November 18, 2014, and the effective resignation of former President David Chiu, Supervisor Katy Tang assumed the duties in the Office of President of the Board of Supervisors, as of Monday, December 1, 2014, at 12:16 p.m. and President Tang shall continue in this capacity until a new Board President is elected on Thursday, January 8, 2015, at 12:00 p.m.

CONSENT AGENDA

Recommendations of the Rules Committee

141138 [Settlement of Lawsuit - Elvis Taouil - $50,000]

Ordinance authorizing settlement of the lawsuit filed by Elvis Taouil against the City and County of San Francisco for $50,000; the lawsuit was filed on August 8, 2013, in the United States District Court, Case No. C13-3674 DMR; entitled Elvis Taouil v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

140375 [Tolling and Standstill Agreement - Yosemite Slough Environmental Claims]
Resolution approving a Tolling and Standstill Agreement to toll the statute of limitations and forbear the City and other parties that are potentially responsible for environmental contamination at Yosemite Slough from taking action with respect to claims related to costs or expenses arising from the Yosemite Slough Superfund Site. (City Attorney)

Resolution No. 448-14

ADOPTED

141160 [Settlement of Claims - Wells Fargo - $248,565.92]
Resolution approving the settlement of four unlitigated claims filed by Wells Fargo against the City and County of San Francisco for $248,565.92; claims were filed on April 25, 2014. (City Attorney)

Resolution No. 451-14

ADOPTED

141206 [Appointments, Shelter Monitoring Committee - Nicholas Kimura, Kendra Amick, and Michael Kirkland]
Motion appointing Nicholas Kimura, Kendra Amick, and Michael Kirkland, terms ending November 23, 2016, to the Shelter Monitoring Committee. (Rules Committee)

Motion No. M14-205

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Tang, Wiener, Yee
Absent: 1 - Mar

REGULAR AGENDA

UNFINISHED BUSINESS

Supervisor Mar was noted present at 2:07 p.m.

Recommendations of the Budget and Finance Committee

141117 [Appropriation - Site Development and a Conditional Loan for an Office Project on Van Ness Avenue - Department of Building Inspection - $8,072,300 - FY2014-2015]
Sponsor: Mayor
Ordinance appropriating $8,072,300 from reserves to the Department of Building Inspection in FY2014-2015, for site development and a conditional loan for an office project on Van Ness Avenue.
(Fiscal Impact)

Ordinance No. 253-14

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141120 [Conditional Purchase Agreement - Goodwill SF Urban Development, LLC - 1500-1580 Mission Street - $326,690,953 Anticipated Project Cost]

Sponsor: Mayor

Ordinance approving and authorizing the Director of Property to execute a Conditional Land Disposition and Acquisition Agreement with Goodwill SF Urban Development, LLC, a Delaware limited liability company (Developer) for the proposed City acquisition of a portion of the real property at 1500-1580 Mission Street, located at the corner of South Van Ness Avenue and Mission Street (Assessors Block No. 3506, Lot Nos. 2 and 3), for approximately $30,296,640 plus approximately $25,884,132 in predevelopment costs, together with a Construction Management Agreement for the completion of an approximately 463,300 gross square foot office building anticipated to cost $270,510,181 for a total anticipated project cost of $326,690,953; exempting the project from contracting requirements in Administrative Code, Chapter 6, and Chapter 14B; and approving the Developer, architect, and general contractor without competitive bidding, but requiring the payment of prevailing wages, implementation of a local business enterprise utilization program, and compliance with the City's local hire policy and first source hiring Ordinance.
(Fiscal Impact)

Ordinance No. 254-14

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141121 [Contract Requirements - Municipal Transportation Agency Armed and Unarmed Security Services]

Sponsors: Avalos; Mar

Ordinance authorizing the Municipal Transportation Agency to include, in any contract for security services it executes within the next year after issuing a competitive solicitation, provisions that require: payment of prevailing wages by both the contractor and subcontractors to any individual providing security services under the contract, and transitional employment and retention for the prior contractor's employees as set forth in Administrative Code, Section 21C.7.
(Fiscal Impact)

FINALLY PASSED by the following vote:
Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Avalos, seconded by Supervisor Farrell, moved to rescind the previous vote. The vote carried by the following vote:
Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Avalos, seconded by Supervisor Mar, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
(Fiscal Impact)

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Government Audit and Oversight Committee

140999 [Administrative Code - 14B Local Business Enterprise Program]

Sponsors: Mayor; Farrell and Cohen

Ordinance amending the Administrative Code to comprehensively revise the Local Business Enterprise (LBE) and Non-Discrimination in Contracting Ordinance (Chapter 14B) to: 1) codify the transfer of implementation and enforcement of Chapter 14B from the Human Rights Commission to the City Administrator and Contract Monitoring Division; 2) require the Mayor to annually set an overall City-wide LBE participation goal of not less than 40% of the value of upcoming contracts; 3) increase the LBE certification size thresholds for small and micro LBEs; 4) increase the bid discount allowed to SBA-LBEs on contracts between $10,000 and $10,000,000; 5) require Administrative Code, Chapter 56, development agreements to include an LBE utilization plan and be subject to certain Chapter 14B provisions; 6) authorize preparation of an implementation plan for a LBE contractor advance program to fund loans to subcontractors; 7) require the City to make good faith efforts to obtain at least three bids from micro or small LBEs for contracts under the threshold or minimum competitive amounts; 8) establish a Mentor-Protégé Program between established successful contractors and LBEs; 9) require separate LBE participation on design and construction portions of design-build construction contracts; 10) repeal Ordinance No. 97-10 relating to completion of the Bayview Branch Library Construction Project; and 11) make various other changes in Chapter 14B.
(Fiscal Impact)

Supervisor Cohen requested to be added as a co-sponsor.

Ordinance No. 250-14

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

140704 [Administrative Code - Providing Electric Power to City Departments and New Developments]

Sponsors: Wiener; Breed and Kim

Ordinance amending the Administrative Code to clarify the requirement for the City to provide electric service to City departments and facilities and to evaluate the feasibility of providing electric power to new developments and projects.

Ordinance No. 247-14

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141096 [Planning Code - Height Exemptions for Hospitals]

Sponsor: Wiener

Ordinance amending the Planning Code to allow exemptions above the height limit for hospital mechanical equipment in hospitals that are legal non-compliant structures with regard to height; and making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Ordinance No. 252-14

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140875 [Planning Code - Amending the Third Street Alcohol Restricted Use District]

Sponsor: Cohen

Ordinance amending the Planning Code to amend the Third Street Alcohol Restricted Use District to allow Alcoholic Beverage Control Type 23, "Small Beer Manufacturer" Licenses; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Ordinance No. 248-14

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140878 [Administrative, Police Codes - Criminal History Inquiries for Employment and Housing]

Sponsors: Kim; Cohen and Breed

Ordinance amending the Administrative and Police Codes to narrow the definition of Property Contracts that are subject to limitations on criminal history inquiries; allow employers and City contractors to inquire about and consider infractions on driving records for positions involving driving; allow employers and City contractors to inquire about and consider a conviction that is more than seven years old for positions involving the supervision or care of minors, dependent adults, or seniors; authorize the City to bring a civil action against a housing provider that violates restrictions on criminal history inquiries; and provide that the criminal history inquiry restrictions in these Codes prevail over any existing conflicting City law.

Ordinance No. 249-14

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141148 [Contracting Process - Van Ness Bus Rapid Transit Project]

Sponsor: Kim

Ordinance modifying the requirements of Administrative Code, Section 6.68, as applied to the proposed construction of the Van Ness Bus Rapid Transit Project, to authorize the Municipal Transportation Agency to, instead of a formal Request for Qualifications, issue a Request for Proposals (RFP) to potential construction managers/general contractors (CM/GC), to include their teams of core trade subcontractors, which RFP will contain minimum qualifications for the CM/GC and certain subcontractors; evaluate the CM/GC primarily on non-cost criteria; negotiate a guaranteed maximum price with the selected CM/GC when the design is sufficiently complete, provided the price is fair and reasonable; and making environmental findings.

Ordinance No. 255-14

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Neighborhood Services and Safety Committee

141001 [Administrative Code - Requiring City Contractors to Submit an Equal Pay Report and Establishing an Equal Pay Advisory Board]

Sponsors: Campos; Kim, Avalos, Mar, Farrell and Cohen

Ordinance amending the Administrative Code to require certain City contractors and subcontractors with 20 or more employees to submit an Equal Pay Report regarding compensation paid to employees; and establishing the Equal Pay Advisory Board to analyze and recommend the best methods of data collection that will identify wage gaps, and setting forth the membership and duties of the Advisory Board.

Supervisors Cohen requested to be added as a co-sponsor.

Ordinance No. 251-14

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

141037 [Administrative Code - Financial Policy Regarding General Reserve Fund]

Sponsors: Mayor; Farrell, Cohen, Avalos and Breed

Ordinance amending the Administrative Code to revise the binding financial policy under Charter, Section 9.120, regarding a general reserve and required funding levels, and to update provisions regarding the Rainy Day Reserve Fund.
(Fiscal Impact)

Supervisors Cohen and Avalos requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141053 [Business and Tax Regulations Code - Parking Stations; Revenue Control Equipment]

Ordinance amending the Business and Tax Regulations Code to authorize methods of electronic payment for parking; reduce parking ticket requirements; increase small lot exemptions; amend valet parking requirements; and clarify revenue control equipment requirements. (Treasurer-Tax Collector)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141125 [Accept and Expend Grant - San Francisco Alternative Fuels Readiness Project - $300,000]

Sponsor: Farrell

Resolution retroactively authorizing the Department of the Environment to accept and expend a grant of $300,000 from the California Energy Commission to accelerate the adoption of Alternative Fuel Vehicles in the City and County of San Francisco for the term of June 30, 2014, through September 30, 2016.

Resolution No. 450-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141182 [Accept and Expend Grant - Financial Empowerment Innovation Fund Contract - $442,996]

Sponsor: Mayor

Resolution retroactively authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to accept and expend an Innovation Fund Research Contract in the amount of $442,996 from the U.S. Department of the Treasury, Internal Revenue Service, for the period of September 30, 2014, through December 21, 2016.

Resolution No. 453-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141183 [Authorizing Participation in the CaliforniaFIRST Program - Renewable Energy Efficiency Program]

Sponsors: Mayor; Farrell

Resolution authorizing the City and County of San Francisco to join the CaliforniaFIRST Program; authorizing the California Statewide Communities Development Authority to accept applications from property owners, conduct contractual assessment proceedings, and levy contractual assessments within the territory of the City and County; and authorizing related actions as defined in the Resolution.

Resolution No. 454-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141184 [Authorizing Participation in the California Home Energy Renovation Opportunity Program - Renewable Energy Financing Program and Joint Powers Agreement Amendment]

Sponsors: Mayor; Farrell

Resolution consenting to the inclusion of properties within the City's jurisdiction in the California Home Energy Renovation Opportunity Program to finance distributed generation renewable energy sources, energy and water efficiency improvements, and electric vehicle charging infrastructure; and approving the amendment to a certain Joint Powers Agreement related thereto.

Resolution No. 455-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141185 [Authorizing Participation in the California Statewide Communities Development Authority Open PACE Program - Soft Story and Renewable Energy Financing]

Sponsors: Mayor; Farrell

Resolution consenting to the inclusion of properties within the territory of the City and County of San Francisco in the California Statewide Communities Development Authority (CSCDA) Open PACE Program; authorizing the CSCDA to accept applications from property owners, conduct contractual assessment proceedings, and levy contractual assessments within the territory of the City and County; and authorizing related actions as defined in the Resolution.

Resolution No. 456-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140977 [Airport Professional Services Agreement Modification - TransCore, LP - Ground Transportation and Taxi Management System - Not to Exceed $10,626,200]

Resolution approving Modification No. 1 to Professional Services Agreement, Airport Contract 8841R, to design, develop, install, and maintain an integrated Ground Transportation and Taxi Management System between TransCore, LP, and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed $10,626,200 pursuant to Charter, Section 9.118(b), and extending the term for one year through June 30, 2016. (Airport Commission)
(Fiscal Impact)

Resolution No. 449-14

ADOPTED by the following vote:

Ayes: 8 - Breed, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Noes: 2 - Avalos, Campos

Recommendations of the Land Use and Economic Development Committee

141163 [Approval to Grant Easement for Installation of Subsurface Tiebacks and Related Surface Access - TUP Folsom, LLC - 923 Folsom Street Development Project]

Resolution approving the grant of an Easement for installation of subsurface tiebacks and related surface access on Assessor's Parcel Block No. 3753, Lot No. 313 to TUP Folsom, LLC, in connection with construction of the residential development project at 923 Folsom Street; making environmental findings, and adopting findings that the grant of easement is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution as defined. (Real Estate Department)

ADOPTED by the following vote:
Ayes: 8 - Breed, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Noes: 2 - Avalos, Campos

Supervisor Campos, seconded by Supervisor Farrell, moved to rescind the previous vote: The motion carried by the following vote:
Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Resolution No. 452-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141190 [Authorizing the Nullification of the Current Four Priority Conservation Areas - Sutro Tower, Aquavista/Twin Peaks, Palou/Phelphs Open Space, and Bayview Radio Property]

Sponsor: Mar

Resolution authorizing the nullification of the current four Priority Conservation Areas: Sutro Tower, Aquavista/Twin Peaks, Palou/Phelphs Open Space, and Bayview Radio Property and allowing the Planning Department to further study the topic in order for the Board of Supervisors to consider new designations at a later date that align more closely with the policies and goals adopted by the City.

Resolution No. 457-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee

141003 [Campaign and Governmental Conduct Code - Conflict of Interest Code Amendments]

Sponsor: Tang

Ordinance amending the Campaign and Governmental Conduct Code to update the Conflict of Interest Code for the City, the Community College District, the Local Agency Formation Commission, the San Francisco Unified School District, the County Transportation Authority, and the Successor Agency to the Redevelopment Agency, by adding, deleting, and changing titles of designated officials and employees to reflect organizational and staffing changes, and by refining the disclosure requirements applicable to some designated officials and employees.

Supervisor Tang, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED on Page 31, Line 20, by striking 'filter' and adding 'filler.' The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141133 [Appointments, Park, Recreation and Open Space Advisory Committee - Mark Scheuer and Richard Ivanhoe]

Motion appointing Mark Scheuer and Richard Ivanhoe, terms ending February 1, 2016, to the Park, Recreation and Open Space Advisory Committee. (Rules Committee)

Motion No. M14-206

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141168 [Appointment, Health Authority - Irene Conway]

Motion appointing Irene Conway, term ending January 15, 2018, to the San Francisco Health Authority. (Rules Committee)

Motion No. M14-207

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141169 [Appointment, Bicycle Advisory Committee - Bert Hill]

Motion appointing Bert Hill, term ending November 19, 2016, to the Bicycle Advisory Committee. (Rules Committee)

Motion No. M14-208

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141170 [Appointments, Local Homeless Coordinating Board - Deleano Seymour, Kim Armbruster, and Erick Brown]

Motion appointing Deleano Seymour (residency requirement waived), Kim Armbruster, and Erick Brown, terms ending October 21, 2018, to the Local Homeless Coordinating Board. (Rules Committee)

Motion No. M14-209

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141171 [Reappointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Marily Mondejar]

Sponsor: Mayor

Motion confirming the Mayor's reappointment of Marily Mondejar to the Commission on Community Investment and Infrastructure, Seat 2, for a four-year term ending November 3, 2018.

Motion No. M14-210

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141172 [Reappointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Mara Rosales]

Sponsor: Mayor

Motion confirming the Mayor's reappointment of Mara Rosales to the Commission on Community Investment and Infrastructure, Seat 4, for a four-year term ending November 3, 2018.

Motion No. M14-211

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141123 [Administrative Code - Establishing the Duties of the Office of Early Care and Education and Creating the Office of Early Care and Education Citizens' Advisory Committee]

Sponsors: Yee; Avalos, Kim, Tang, Campos, Wiener, Farrell, Breed, Mar and Cohen

Ordinance amending the Administrative Code to establish the duties of the Office of Early Care and Education and to create the Office of Early Care and Education Citizens' Advisory Committee.

Supervisors Tang, Campos, Wiener, Farrell, Breed, and Mar requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141174 [Settlement of Lawsuit - Paul Haynes - $110,000]

Ordinance authorizing settlement of the lawsuit filed by Paul Haynes against the City and County of San Francisco, Andrew Guillory, Lenida Reyes and Stephen Yeung, for $110,000; the lawsuit was filed on April 8, 2013, in United States District Court for the Northern District of California, Case No. 13-1567 MEJ; entitled Paul Haynes v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141105 [Supporting the Creation of Open Source Voting Systems - Studying New Models of Voting System Development]

Sponsors: Wiener; Mar, Cohen and Kim

Resolution committing the City and County of San Francisco to work with the California Association of Voting Officials and other jurisdictions and organizations to create new voting systems using open source software; and to study the feasibility of the City and County of San Francisco developing and using a new voting system, either whole or in part, through a collaborative model like the Los Angeles County Voting Systems Assessment Project.

Supervisors Cohen and Kim requested to be added as co-sponsors.

Supervisor Wiener, seconded by Supervisor Mar, moved that this Resolution be AMENDED on Page 1, Line 4, by striking 'California Association of Voting Officials and'; on Page 4, Lines 11-21, by striking the Whereas clause; and on Page 5, Lines 1-3, by striking the Whereas clause. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Resolution committing the City and County of San Francisco to work with other jurisdictions and organizations to create new voting systems using open source software; and to study the feasibility of the City and County of San Francisco developing and using a new voting system, either whole or in part, through a collaborative model like the Los Angeles County Voting Systems Assessment Project.

Resolution No. 460-14

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141222 [Extending the Term for the Balboa Park Station Community Advisory Committee]

Sponsor: Avalos

Resolution extending the term for the Balboa Park Station Area Plan Community Advisory Committee to provide continued input and community oversight to area transportation and other public improvements.

Resolution No. 458-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141205 **[Appointments, Market and Octavia Community Advisory Committee - Krute Singa, Joshua Marker, Raymond Gary McCoy, Kenneth Wingard, Paul Olsen, and Jason Henderson]**

Motion appointing Krute Singa, Joshua Marker, Raymond Gary McCoy, Kenneth Wingard, Paul Olsen, Jason Henderson, terms ending December 16, 2016, to the Market and Octavia Community Advisory Committee. (Rules Committee)

Motion No. M14-212

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Tang, seconded by Supervisor Wiener, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Tang introduced, welcomed, and presented an In Memoriam to the friends and family of Jennifer Entine Matz in recognition of her accomplishments upon her untimely passing. Supervisors Farrell, Kim, Wiener, Avalos, and Campos; Angela Calvillo, Clerk of the Board; Todd Rufo, Director, Mayor's Office of Economic and Workforce Development; and Alan Entine, Jennifer's father shared in this in memoriam.

Supervisor Wiener introduced, welcomed, and presented a Certificate of Honor to Sharon Adams, on behalf of Michael Baxter of the Department of Public Health in recognition of his years of dedicated service upon his departure of the City and County of San Francisco due to unforeseen health reasons. Supervisors Campos and Avalos shared in this commendation.

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Ben Schwartz in recognition of his recent acts of heroism during an attack of violence.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Terri Goodwin of the Center for the Arts for her accomplishments and continued community support.

SPECIAL ORDER 3:00 P.M.

141083 [Public Hearing - Appeal of Exemption from Environmental Review - 2853-2857 Broderick Street]

Hearing of persons interested in or objecting to the determination of categorical exemption from environmental review under the California Environmental Quality Act issued by the Planning Department on July 3, 2014, and approved during the Discretionary Review Hearing of the Planning Commission on September 18, 2014, to permit an existing three-story-over-basement, two-unit building located at 2853-2857 Broderick Street, Assessor's Block No. 0947, Lot No. 002, to be lifted 3 feet to insert a two-car garage within the basement level, as well as additional work including a dwelling unit merger from 2 units to 1 unit, a side horizontal addition at the south side façade, and vertical additions and rear façade alteration to construct dormers and a deck at the roof/attic level. (District 2) (Appellants: Irving Zaretsky, on behalf of himself, Zeeva Kardos, and Kate Polevoi; Tim Arcuri) (Filed October 20, 2014). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Irving Zaretsky and Paul Wythes (Appellants) provided an overview of the appeal and further requested the Board to approve the appeal. Patricia Vaughey; spoke in support of the appeal. Tina Tam (Planning Department) provided an overview of the decision of the Planning Department. Ilene Dick and Gregory Cook (Project Sponsors) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. There were no speakers in support of the project and in opposition to the appeal. Irving Zaretsky (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

141084 [Affirming the Exemption Determination - 2853-2857 Broderick Street]

Motion affirming the determination by the Planning Department that a proposed project at 2853-2857 Broderick Street is exempt from environmental review. (Clerk of the Board)

Motion No. M14-213

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141085 [Reversing the Exemption Determination - 2853-2857 Broderick Street]

Motion reversing the determination by the Planning Department that a proposed project at 2853-2857 Broderick Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

141086 [Preparation of Findings to Reverse the Exemption Determination - 2853-2857 Broderick Street]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that a proposed project at 2853-2857 Broderick Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

141153 [Hearing - Transbay Transit Center - Consent to Successor Agency Actions Facilitating Interim Financing - First Amendment to the Option Agreement]

Hearing to consider the proposed Resolution of the Board of Supervisors (File No. 141154), acting in its capacity as the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, to approve actions by the Commission on Community Investment and Infrastructure to subordinate property interest in a site designated for affordable housing in the Transbay Redevelopment Project Area for the construction of the Transbay Transit Center. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 141154. Supervisor Kim provided some opening remarks. Tiffany Bohee, Director, Mayor's Office of Community Investment and Infrastructure, provided an overview of the project. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

Supervisor Campos was noted absent at 4:20 p.m. and noted present at 4:24 p.m.

141154 [Consent to Successor Agency Actions Facilitating Interim Financing - Transbay Transit Center - Transbay Redevelopment Project Area - Amendment to Option Agreement Affecting Affordable Housing Requirement]

Sponsor: Kim

Resolution of the Board of Supervisors, acting in its capacity as the legislative body to the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, approving actions by the Commission on Community Investment and Infrastructure to subordinate property interest in a site designated for affordable housing in the Transbay Redevelopment Project Area; and to facilitate interim financing by the Transbay Joint Powers Authority for the construction of Transbay Transit Center.

Resolution No. 445-14

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Absent: 1 - Campos

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

141204 [Hearing - Transbay Joint Powers Authority - First Amendment to Option Agreement; Consent to Conditions of Bridge Loan - Credit Agreement from Goldman Sachs Bank - Not to Exceed $171,000,000]

Hearing to consider a Resolution (File No. 141155) to authorize the execution of the First Amendment to the Option Agreement for the Purchase and Sale of Real Property, and execute a consent to the conditions of the Transbay Joint Powers Authority's Bridge Loan with a value of $171,000,000, and acknowledge the Subordination of the Option Agreement for the Purchase and Sale of Real Property for Transbay Parcels F, O, O', and O''; and a Resolution (File No. 141189) to approve a Credit Agreement for an amount not to exceed $171,000,000 from Goldman Sachs Bank USA to the Transbay Joint Powers Authority, and making certain public benefit findings for the Transbay Transit Center program under California Government Code, Section 6586.5. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 141189. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

141189 [Credit Agreement - Goldman Sachs Bank USA - Transbay Joint Powers Authority - Not to Exceed $171,000,000]

Sponsor: Kim

Resolution approving a Credit Agreement for an amount not to exceed $171,000,000 from Goldman Sachs Bank USA to the Transbay Joint Powers Authority and making certain public benefit findings for the Transbay Transit Center program under California Government Code, Section 6586.5.

Resolution No. 447-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Budget and Finance Committee

141155 [Approval of First Amendment to Option Agreement for the Purchase and Sale of Real Property - Transbay Joint Powers Authority - Consent to Conditions of Transbay Joint Power Authority's Bridge Loan - $171,000,000]

Sponsor: Kim

Resolution authorizing the Director of Property to execute the First Amendment to Option Agreement for the Purchase and Sale of Real Property between the City, Transbay Joint Powers Authority, and Successor Agency to the Redevelopment Agency of City and County of San Francisco; execute a consent to the conditions of the Transbay Joint Powers Authority's Bridge Loan with a value of $171,000,000; and acknowledge the Subordination of the Option Agreement for the Purchase and Sale of Real Property for Transbay Parcels F, O, O', and O".

Resolution No. 446-14

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMITTEE REPORT

Recommendation of the Neighborhood Services and Safety Committee

141098 [Health, Business and Tax Regulations Codes - Tobacco Sales Permits and Associated Fees]

Sponsors: Mar; Kim, Wiener, Campos, Avalos and Cohen

Ordinance amending the Health Code by adding density, proximity, and sales establishment limitations on the granting of new tobacco sales permits, and renumbering all sections in Article 19H; amending the Business and Tax Regulations Code by increasing the annual license and application fees; and making environmental findings.

Supervisors Campos, Avalos, and Cohen requested to be added as co-sponsors.

Privilege of the floor was granted to Jon Givner, Deputy City Attorney, who responded to questions raised throughout the discussion.

Supervisor Mar, seconded by Supervisor Kim, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Privilege of the floor was granted, without objection, to the family of Rosa Mena.

PUBLIC COMMENT

Female Speaker; expressed various concerns relating to oath of office and public office.
John Jenkel; expressed various concerns relating to oath of office, public office, and police homicides.
Peter Alexander; shared in poem various concerns relating to racism and religion.
Male Speaker; expressed various religious concerns.
Peter Warfield; expressed various concerns relating to public comment time, privacy technology proposed at the Library, and censorship.
Christopher Dahl; expressed various concerns relating to sea level, public comment time, commendations time, and in memoriams.
Ace Washington; expressed various concerns relating to public comment time and African-American community.
Tom Gilberty; expressed various concerns relating to metaphors, sale of property, and landlord/tenant taxes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

141241 [Final Map 8071 - 100 Van Ness Avenue]

Motion approving Final Map 8071, a 400 residential unit and 3 commercial unit, mixed-use condominium project, located at 100 Van Ness Avenue Street, being a subdivision of Assessor's Block No. 0814, Lot No. 20, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

Motion No. M14-214

APPROVED

141242 [Final Map 7665 - 240-250 Precita Avenue]

Motion approving Final Map 7665, a six residential unit condominium project, located at 240-250 Precita Avenue, being a subdivision of Assessor's Block No. 5517, Lot No. 098, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

Motion No. M14-215

APPROVED

141243 [Final Map 8234 - 1601 Larkin Street]

Motion approving Final Map 8234, a 27 residential unit condominium project, located at 1601 Larkin Street, being a subdivision of Assessor's Block No. 0620, Lot No. 006, and adopting findings pursuant to the General Plan, and the eight priority policies of City Planning Code, Section 101.1. (Public Works)

Motion No. M14-216

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Tang requested that File No. 141223 be severed so that it may be considered separately.

141223 [Declaration of Election Results - November 4, 2014 - Consolidated General Election]

Sponsor: Tang

Resolution declaring the results of the November 4, 2014, Consolidated General Election.

Supervisor Tang, seconded by Supervisor Farrell, moved that this Resolution be AMENDED on Page 4, Line 7, by striking 'Z'. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Resolution No. 459-14

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Avalos requested that File No. 141234 be severed so that it may be considered separately.

141234 [Affirming the Board of Supervisors Commitment to Equal Justice and the Right to Protest and Urging Reforms in National Policing and Judicial Practices]

Sponsor: Avalos

Resolution urging the Department of Justice to expedite its investigation of the fatal shooting of Michael Brown, to initiate reforms of the Ferguson Police Department and St. Louis County Police Department, and to investigate the St. Louis County Grand Jury process.

Supervisor Avalos, seconded by Supervisor Campos, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Resolution affirming the San Francisco Board of Supervisors commitment to equal justice under the law and the First Amendment right to protest, recognizing the United States' broken and racially biased police and justice systems, and urging the Department of Justice, Congress, and President Obama to review national policing and judicial practices to truly bring equal justice under the law.

Supervisor Avalos, seconded by Supervisor Mar, moved that this Resolution be CONTINUED AS AMENDED to December 16, 2014. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

141215 [Administrative Code - Establishing the Children, Youth and Their Families Oversight and Advisory Committee and a Service Provider Working Group]

Sponsor: Avalos

Ordinance amending the Administrative Code to establish a Children, Youth and Their Families Oversight and Advisory Committee, and a Service Provider Working Group, as provided in Charter, Section 16.108-1.

11/25/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/24/2014.

12/01/14; REFERRED TO DEPARTMENT.

12/03/14; RESPONSE RECEIVED.

12/09/14; SUBSTITUTED AND ASSIGNED to Rules Committee.

141265 [Police Code - Property Services Contractors at Formula Retail Establishments]

Sponsor: Breed

Ordinance amending the Police Code to require Formula Retail Establishments that have entered into contracts with Property Services Contractors that are in effect between April 1, 2015, and July 3, 2015, to provide such contractors with copies of Police Code, Articles 33F, and 33G, which establish certain rights of employees of such contractors.

12/09/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/8/2015.

141266 [Planning Code - Off-Street Parking Exceptions]

Sponsor: Breed

Ordinance amending the Planning Code to permit certain exceptions from off-street parking and loading requirements for lots that front on curbside transit lanes or bicycle paths, for lots in Residential Mixed districts, and in order to bring buildings into greater conformity with yard, setback, and other building requirements; to include parking in excess of what is principally permitted and located above ground in the floor area ratio calculation; modifying other floor area ratio provisions; and affirming the Planning Department's California Environmental Quality Act determination, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

12/09/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/8/2015.

141267 [Accept and Expend Grant - Bureau of Justice Assistance, Smart Prosecution Initiative: Predictive Analytics for Strategic Prosecution - Amendment to the Annual Salary Ordinance - $435,253]

Sponsor: Wiener

Ordinance retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of $435,253 from the U.S. Department of Justice, Bureau of Justice Assistance for the Smart Prosecution Initiative, in support of Predictive Analytics for Strategic Prosecution, to enhance data driven prosecution and strategies that effectively address and prevent crime and victimization in San Francisco, and amending Ordinance No. 147-14 (Annual Salary Ordinance, FYs 2014-2015 and 2015-2016) to reflect the addition of one grant-funded Class 1822 Administrative Analyst position (0.5 FTE) for the period of October 1, 2014, through September 30, 2016.

12/09/14; ASSIGNED to Budget and Finance Committee.

Resolutions

141192 [Interim Zoning Controls Six-Month Extension - Upper Market Street Neighborhood Commercial Transit District]

Sponsor: Wiener

Resolution extending, for an additional six-month period, interim zoning controls requiring conditional use authorization for limited financial service and business or professional service uses in the Upper Market Neighborhood Commercial Transit District; and affirming the Planning Department's California Environmental Quality Act determination.

11/18/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

12/03/14; REFERRED TO DEPARTMENT.

12/09/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

141268 [Five-Year Financial Plan - FYs 2015-2016 through 2019-2020]

Sponsor: Mayor

Resolution adopting the City's Five-Year Financial Plan for FYs 2015-2016 through 2019-2020 pursuant to Charter, Section 9.119.

12/09/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141269 [Real Property Acquisition - 1995 Evans Street - Claire A. Spencer, Trustee of the William D. Spencer and Claire A. Spencer 1995 Living Trust - $15,475,000]

Sponsor: Mayor

Resolution authorizing the acquisition of real property at 1995 Evans Street (Assessor's Block No. 5231, Lot Nos. 004, 005, and 006) from Claire A. Spencer, Surviving Trustee of the William D. Spencer and Claire A. Spencer 1995 Living Trust, dated February 9, 1995 (Spencer Trust) for the purchase price of $15,475,000; and adopting findings, including environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

12/09/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141270 [Accept and Expend Grant - 900 Innes Park Planning Grant - $500,000]

Sponsor: Cohen

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant of $500,000 from the California Coastal Conservancy Priority Conservation Area Grant Fund to support the 900 Innes Park Planning Project for the period of October 1, 2014, through August 1, 2016.

12/09/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141271 [Real Property Acquisition - 66 Raymond Avenue - Bridgeway Vista II, LP - $1]

Sponsor: Cohen

Resolution authorizing the acquisition of real property at 66 Raymond Avenue (Assessor's Block No. 6237, Lot Nos. 014, 015, 016, and 017) from Bridgeway Vista II, LP, for the nominal cost of $1.

12/09/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

141273 [Street Encroachment - Market Street from Van Ness Avenue to The Embarcadero - Illuminate The Arts]

Sponsors: Wiener; Kim

Resolution granting revocable permission to Illuminate The Arts to occupy a portion of the public right-of-way to install and maintain a public art project comprised of a subway-responsive light sculpture (LightRail) along Market Street between Van Ness Avenue and The Embarcadero, and making findings of consistency with the eight priority policies of Planning Code, Section 101.1.

12/09/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

141274 [Establishing the Calendar Date of December 10 as Human Rights Day]

Sponsors: Campos; Avalos and Mar

Resolution establishing the calendar date of December 10 to be forever known as Human Rights Day in the City and County of San Francisco to celebrate the important passage of the Universal Declaration of Human Rights.

12/09/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141275 [Expressing Support for President Obama's Guidelines on Racial Profiling]

Sponsor: Cohen

Resolution expressing support for President Obama's new guidelines, released on December 8, 2014, limiting racial profiling by federal law enforcement officers.

12/09/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141276 [Urging the California Judicial Council to Reevaluate the Fines and Related Fees of the California Vehicle Code]

Sponsors: Tang; Kim

Resolution urging the California Judicial Council to reevaluate the fines and related fees for violating the California Vehicle Code, Sections 22450(a), 21950(a), 21801(a), 23123, and 21756.

12/09/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141283 [Approval of a 90-Day Extension for Planning Commission Review of an Ordinance (File No. 141036) Amending Regulation of Short-Term Residential Rentals and Establishing an Application Fee]

Sponsor: Kim

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 141036) amending the Administrative Code to provide an exception for permanent residents to the prohibition on short-term residential rentals under certain conditions; to create procedures, including a registry administered by the Planning Department, for tracking short-term residential rentals and compliance; to establish an application fee for the registry; amending the Planning Code to clarify that short-term residential rentals shall not change a unit's type as residential; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

12/09/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

141277 [Committee of the Whole - Reappointment, Retirement Board - Wendy Paskin-Jordan - December 16, 2014]

Sponsor: Avalos

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, on December 16, 2014, at 3:00 p.m., to hold a public hearing to approve or reject the Mayor's reappointment of Wendy Paskin-Jordan to the Retirement Board, seat 4, for a four-year term ending February 20, 2019.

12/09/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141279 [Reappointment, Retirement Board - Wendy Paskin-Jordan]

Motion approving/rejecting the Mayor's reappointment of Wendy Paskin-Jordan to the Retirement Board, seat 4, for a four-year term ending February 20, 2019. (Clerk of the Board)

12/09/14; RECEIVED AND ASSIGNED to Board of Supervisors.

141280 [Committee of the Whole - Status of the Labor Dispute at San Francisco International Airport Restaurants]

Sponsors: Mar; Campos

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, on December 16, 2014, at 3:00 p.m., to hold a public hearing to consider and discuss the issues arising from the labor dispute at the San Francisco International Airport restaurants.

12/09/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141288 [Concurring in the Second Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]

Sponsor: Mayor

Motion concurring in the "Rim Fire" Second Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

12/09/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

141278 [Hearing - Reappointment, Retirement Board - Wendy Paskin-Jordan]

Hearing to consider the Motion (File No. 141279) approving or rejecting the Mayor's reappointment of Wendy Paskin-Jordan to the Retirement Board, seat 4, for a four-year term ending February 20, 2019. (Clerk of the Board)

12/09/14; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

141281 [Hearing - Status of the Labor Dispute at San Francisco International Airport Restaurants]

Hearing to consider and discuss the issues arising from the labor dispute at the San Francisco International Airport restaurants. (Clerk of the Board)

12/09/14; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

141284 [Hearing - Funding Options for Affordable Housing]

Sponsors: Avalos; Campos

Hearing to explore various funding options for affordable housing, including general obligation bonds, infrastructure financing districts, use of City budget reserves, and other options to meet San Francisco's housing crisis.

12/09/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

141285 [Hearing - Controller's Citywide Performance Measurement Annual Report]

Sponsor: Breed

Hearing regarding the Controller's exhaustive review of City government performance in the recently-released "Citywide Performance Measurement Annual Report," particularly regarding any relationship between changes in departmental staff and budgets and changes in departmental performance, and requesting the Controller's Office to report.

12/09/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

141286 [Hearing - Makers and Movers Economic Cluster Strategy for Food and Beverage Manufacturers and Distributors]

Sponsor: Cohen

Hearing to discuss the recommendations of the Makers and Movers Economic Cluster Strategy for San Francisco's food and beverage manufacturers and distributors.

12/09/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

141287 [Hearing - Proposition B Transportation Expenditures]
Sponsor: Wiener

Hearing on the actual and planned expenditures of voter-approved Proposition B funds, and requesting the Municipal Transportation Agency and Public Works to report.

12/09/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

141208 [Agreement Amendment - AT&T - Telecommunications Services - Not to Exceed $101,433,700]

Ordinance retroactively authorizing the Department of Technology and the Department of Contract Administration to enter into the Second Amendment of an Agreement between the City and AT&T for the City's telecommunications services by extending the term of the agreement through March 1, 2016, and increasing the total not-to-exceed amount of the agreement to $101,433,700.
(Department of Technology)
(Fiscal Impact: No Budget and Legislative Analyst Report.)

11/17/14; RECEIVED FROM DEPARTMENT.

12/09/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/8/2015.

141235 [Business and Tax Regulations Code - Repealing Article 3 Regarding Transient Merchants]

Ordinance amending the Business and Tax Regulations Code to repeal Article 3, which contains a license requirement and tax on transient merchants, both of which have been suspended.
(Treasurer-Tax Collector)

11/18/14; RECEIVED FROM DEPARTMENT.

12/09/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/8/2015.

141236 [Settlement of Lawsuit - Colleen Sullivan, Silvia David, and Gordon Clark - $360,753.71]

Ordinance authorizing partial settlement of the lawsuit filed against the City and County of San Francisco for $360,753.71; the lawsuit was filed on May 18, 2012, in United States District Court, Northern District of California, Case No. 12-02584 JCS; currently entitled Colleen Sullivan, Silvia David, and Gordon Clark v. City and County of San Francisco. (City Attorney)

11/21/14; RECEIVED FROM DEPARTMENT.

12/09/14; RECEIVED AND ASSIGNED to Rules Committee.

141237 [Planning Code - Procedure for Requesting Modification of Code Requirements or Planning Department Practices and Procedures to Accommodate a Disability]

Sponsor: Wiener

Ordinance amending the Planning Code to establish a process for making and acting upon requests for reasonable modification of a Planning Code requirement or a Department policy, practice, or procedure to accommodate a disability pursuant to federal and state fair housing laws; and affirming the Planning Department's California Environmental Quality Act determination and making findings of consistency with the City's General Plan, and the eight priority policies of Planning Code, Section 101.1.

11/25/14; RECEIVED FROM DEPARTMENT.

12/09/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/8/2015.

PROPOSED RESOLUTIONS

141238 [Lease Agreement - Menzies Aviation (USA), Inc. - West Field Cargo Building 632 and Related Areas on Plot 9 - Minimum Rent of $5,356,944]

Resolution approving Lease Agreement No. 14-0207 between Menzies Aviation (USA), Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for approximately 36,012 square feet of exclusive use space in West Field Cargo Building 632 and related areas on Plot 9, with an estimated minimum rent of $5,356,944, a three-year initial term and three one-year options to extend to commence following Board approval. (Airport Commission)

11/17/14; RECEIVED FROM DEPARTMENT.

12/09/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141239 [Lease of Real Property - C and E Haas Development Company, LLC - 1 Bayview Park Road - Initial Annual Lease Rate of $78,000]

Resolution approving a lease between C and E Haas Development Company, LLC, as landlord, and the City and County of San Francisco, acting by and through the Municipal Transportation Agency (MTA), as tenant, for certain premises at 1 Bayview Park Road (Assessor Block No. 4991, Lot No. 1C), for an approximate ten-year term to commence upon lease execution (expected to be about January 1, 2015) through December 31, 2024, with three five-year options at an initial annual lease rate of $78,000 with annual increases, for use as an MTA radio transmission site; adopting environmental findings; and authorizing other actions in furtherance of this Resolution as defined. (Municipal Transportation Agency)

11/24/14; RECEIVED FROM DEPARTMENT.

12/09/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141240 [Edgewood Center for Children and Families Psychiatric Facility and Designation Agreement]

Resolution designating Edgewood Center for Children and Families as an Evaluation and Treatment Facility, pursuant to California Welfare and Institutions Code, Section 5151, for youth ages 5 to 17; and authorizing the Director for Behavioral Health Services to enter into a Designation Agreement with said facility. (Public Health Department)

11/24/14; RECEIVED FROM DEPARTMENT.

12/09/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

Requests Granted

From: Supervisor Yee
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to draft legislation prohibiting tour vehicle drivers from driving and providing a tour at the same time.

From: Supervisor Avalos
To: Director, Planning Department
Requesting/Inquiring: Requesting the Planning Department to provide any information on 990 Union Street, if it was previously or is currently designated as a below-market rate unit, and if there are any restrictions on its use or sale.

From: Supervisor Avalos
To: Director, Mayor's Office of Housing and Community Development
Requesting/Inquiring: Requesting the Mayor's Office of Housing and Community Development to provide information on 990 Union Street, if it was previously or is currently designated as a below-market rate unit, and if there are any restrictions on its use or sale.

From: Supervisor Avalos
To: Director, San Francisco Employees' Retirement System
Requesting/Inquiring: Requesting the San Francisco Employees' Retirement System to inform their review of the re-appointment of Wendy Paskin-Jordan, including the following:
- A history of the Retirement System's business with Grantham Mayo van Otterloo (GMO) since Paskin-Jordan was appointed to the Retirement Board.
- A review to determine if the Retirement System does or has done business with any of the individuals or entities that Wendy Paskin-Jordan invests in or has received gifts from, as listed on her Form 700 Statements of Economic Interests.
- Paskin-Jordan's attendance record at Retirement Board meetings.
- A list of votes that Paskin-Jordan was recused from.

From: Supervisor Avalos
To: Court Executive Officer, Superior Court
Requesting/Inquiring: Requesting the Superior Court a copy of documents associated with Case No. CGC 90 922134, Paskin vs. Requerin.

In Memoriams

Jennifer Entine Matz - Full Board
Rosa Mena - Supervisor Campos
Valiant Chow - Supervisor Mar

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:00 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 13, 2015.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, December 16, 2014 - 2:00 PM

GOVERNMENT
DOCUMENTS DEPT
APR - 9 2015
SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

KATY TANG, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang	2nd and 4th Thursday 11:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Volume 109 Number 40

Members Present: John Avalos, London Breed, David Campos, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll, Supervisor Yee was not present. There was a quorum.

AGENDA CHANGES

There were none.

MEETING MINUTES

President Tang inquired whether any Board Member had any corrections to the Board Meeting Minutes of November 18, 2014, and November 25, 2014. There were no corrections. Following general public comment, the above referenced minutes were received without objection.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, acknowledged receipt of the following communications:

- From the Office of Supervisor Yee, dated December 5, 2014, stating that Supervisor Yee would not be in attendance and requests to be excused from the December 16, 2014, Board of Supervisors meeting; and
- Items which may be continued to the next meeting, or items which are to be passed on first reading, and to be scheduled for final passage at the next meeting, shall appear on the Regular Board Meeting Agenda of January 13, 2015, unless otherwise stated.

Supervisor Yee Excused from Attendance

Supervisor Breed, seconded by Supervisor Mar, moved that Supervisor Yee be excused from attending today's meeting. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

141289 [Formal Policy Discussions - December 16, 2014]

Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing Districts 1 and 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Mr. Mayor, A recent story on 48 Hills found that 39 percent of condos built since 2000 have absentee owners, and for newer buildings like One Rincon Hill, that number is 50 percent or above. Luxury developments like the Four Seasons residences have more than a 60 percent rate of absentee ownership.
When wealthy people who don't actually live here buy up San Francisco residential properties, housing prices skyrocket beyond the reach of residents, making the cost of living unaffordable for even middle income people. Not only are these wealthy absentee buyers bidding up housing prices that effectively precludes everyday residents from being able to "keep up" with the exorbitant prices, but these unoccupied units also constrict the supply of housing available to meet the high demand for our City's growing workforce. And as we know, one factor in high housing prices is the limited amount of new supply available for residents. The San Francisco Business Times reported last year, "With a median home price of $706,300 in San Francisco, someone earning the median income of $74,922 makes 48 percent less money than they need to afford a median-priced home."
This sort of home owner absenteeism is also bad for neighborhoods and leads to the phenomenon of "zombie neighborhoods" that contain beautiful new luxury units but no residents.
New York State Senator Brad Hoylman who represents part of Manhattan, has announced his intention to introduce a bill that would place a property tax surcharge on luxury homes in New York City owned by nonresidents. This kind of "pied-à-terre tax" would address a very real problem that arises when a significant number of homes are bought by wealthy out-of-towners for the simple purpose of a place to stay on occasion, as an investment, or as a hedge against market swings.
I am beginning to research legislation to address this critical problem of newly built housing that is unoccupied, can I count on your support in helping to address the issue of residential real estate hoarding by out of town buyers? (Supervisor Mar, District 1)

2. Mr. Mayor, I am pleased to read about your expressing outrage about Central Intelligence Agency (CIA) torture. What is your sense of outrage at the affordability crisis that is harming working families in San Francisco? What else can you do to make a measurable impact on the affordability housing crisis? I have called for a hearing to consider new funding options for our housing crisis. What are some of the proposals we can expect to collaborate on with your office of housing? (Supervisor Avalos, District 11)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendations of the Land Use and Economic Development Committee

140908 [Street Encroachment - 157-24th Avenue]

Resolution granting revocable permission to Kristina Baker to occupy a portion of the public right-of-way to construct and maintain a portion of a new two car garage, new terraced concrete retaining walls, reconstruct existing public concrete stairway, and install and maintain additional landscaping within the existing sloped and landscaped portion of the 24th Avenue public right-of-way, to access and provide off-street parking for the property at 157-24th Avenue (Assessor's Block No. 1334, Lot No. 006) and making findings of consistency with the eight priority policies of Planning Code, Section 101.1. (Public Works)

Resolution No. 461-14

ADOPTED

141228 [Real Property Conveyance - Land Dedication by Archstone Concourse, LLC - 600-7th Street - Inclusionary Affordable Housing]

Sponsor: Kim

Resolution approving and authorizing an agreement for the conveyance of a parcel of real estate, consisting of approximately 37,800 square feet (approximately 0.87 acre) of land, within Block No. 3783 in San Francisco County to the Mayor's Office of Housing and Community Development pursuant to the land dedication process permitted under Planning Code, Section 419; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan, and the eight priority policies of City Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution as defined herein.

Resolution No. 475-14

ADOPTED

Recommendation of the Rules Committee

141138 [Settlement of Lawsuit - Elvis Taouil - $50,000]

Ordinance authorizing settlement of the lawsuit filed by Elvis Taouil against the City and County of San Francisco for $50,000; the lawsuit was filed on August 8, 2013, in the United States District Court, Case No. C13-3674 DMR; entitled Elvis Taouil v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 262-14

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

141037 [Administrative Code - Financial Policy Regarding General Reserve Fund]

Sponsors: Mayor; Farrell, Cohen, Avalos and Breed

Ordinance amending the Administrative Code to revise the binding financial policy under Charter, Section 9.120, regarding a general reserve and required funding levels, and to update provisions regarding the Rainy Day Reserve Fund.
(Fiscal Impact)

Supervisor Breed requested to be added as a co-sponsor.

Supervisor Farrell, seconded by Supervisor Campos, moved that this Ordinance be AMENDED on Page 4, Line 18, by striking '5' and adding '6'. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

(Fiscal Impact)

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141053 [Business and Tax Regulations Code - Parking Stations; Revenue Control Equipment]

Ordinance amending the Business and Tax Regulations Code to authorize methods of electronic payment for parking; reduce parking ticket requirements; increase small lot exemptions; amend valet parking requirements; and clarify revenue control equipment requirements. (Treasurer-Tax Collector)

Ordinance No. 257-14

FINALLY PASSED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141121 [Contract Requirements - Municipal Transportation Agency Armed and Unarmed Security Services]

Sponsors: Avalos; Mar

Ordinance authorizing the Municipal Transportation Agency to include, in any contract for security services it executes within the next year after issuing a competitive solicitation, provisions that require: payment of prevailing wages by both the contractor and subcontractors to any individual providing security services under the contract, and transitional employment and retention for the prior contractor's employees as set forth in Administrative Code, Section 21C.7.
(Fiscal Impact)

Ordinance No. 260-14

FINALLY PASSED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

Recommendation of the Neighborhood Services and Safety Committee

141098 [Health, Business and Tax Regulations Codes - Tobacco Sales Permits and Associated Fees]

Sponsors: Mar; Kim, Wiener, Campos, Avalos and Cohen

Ordinance amending the Health Code by adding density, proximity, and sales establishment limitations on the granting of new tobacco sales permits, and renumbering all sections in Article 19H; amending the Business and Tax Regulations Code by increasing the annual license and application fees; and making environmental findings.

Ordinance No. 259-14

FINALLY PASSED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

Recommendations of the Rules Committee

141003 [Campaign and Governmental Conduct Code - Conflict of Interest Code Amendments]

Sponsor: Tang

Ordinance amending the Campaign and Governmental Conduct Code to update the Conflict of Interest Code for the City, the Community College District, the Local Agency Formation Commission, the San Francisco Unified School District, the County Transportation Authority, and the Successor Agency to the Redevelopment Agency, by adding, deleting, and changing titles of designated officials and employees to reflect organizational and staffing changes, and by refining the disclosure requirements applicable to some designated officials and employees.

Ordinance No. 256-14

FINALLY PASSED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141123 [Administrative Code - Establishing the Duties of the Office of Early Care and Education and Creating the Office of Early Care and Education Citizens' Advisory Committee]

Sponsors: Yee; Avalos, Kim, Tang, Campos, Wiener, Farrell, Breed, Mar and Cohen
Ordinance amending the Administrative Code to establish the duties of the Office of Early Care and Education and to create the Office of Early Care and Education Citizens' Advisory Committee.

Ordinance No. 261-14

FINALLY PASSED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141174 [Settlement of Lawsuit - Paul Haynes - $110,000]

Ordinance authorizing settlement of the lawsuit filed by Paul Haynes against the City and County of San Francisco, Andrew Guillory, Lenida Reyes and Stephen Yeung, for $110,000; the lawsuit was filed on April 8, 2013, in United States District Court for the Northern District of California, Case No. 13-1567 MEJ; entitled Paul Haynes v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 246-14

FINALLY PASSED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

141145 [Levy and Collection of Special Taxes - Community Facilities District No. 2014-1 (Transbay Transit Center)]

Sponsors: Mayor; Kim
Ordinance authorizing the levy and collection of special taxes within City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center).

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141146 [Business and Tax Regulations Code - Hotel Tax Exemption Increase]

Sponsor: Mayor
Ordinance amending the Business and Tax Regulations Code, Article 7 (Tax on Transient Occupancy of Hotel Rooms), to increase the exemption rate from less than $30 a day to less than $40 a day; and to require future review by the Controller of the daily and weekly exemption amounts.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141181 [Public Employment - Amendment to the Annual Salary Ordinance for the Office of the Assessor-Recorder - FYs 2014-2015 and 2015-2016]

Sponsor: Farrell

Ordinance amending Ordinance No. 147-14 (Annual Salary Ordinance, FYs 2014-2015 and 2015-2016) to reflect the addition of five (5) grant-funded positions including two (2) Class 4214 Assessor-Recorder Office Specialist positions (1.16 FTE), one (1) Class 4215 Assessor-Recorder Senior Office Specialist position (0.65 FTE), and two (2) Class 4261 Real Property Appraiser positions (1.16 FTE) in the Office of Assessor-Recorder for the implementation of the State-County Assessors' Partnership Agreement grant.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141211 [De-Appropriation and Re-Appropriation - $1,400,000 of Water System Improvement Program for Public Utilities Commission - FY2014-2015]

Sponsor: Mayor

Ordinance de-appropriating $1,400,000 in existing Water System Improvement Program (WSIP) Regional Groundwater & Recovery Project budgets approved by Ordinance No. 311-08 and re-appropriating the funds to Water System Improvement Program (WSIP) Bond/Commercial Paper expense.
(Fiscal Impact)

Privilege of the floor was granted unanimously to Nicole Wheaton and Roger Kim (Mayor's Office) who responded to questions raised throughout the discussion.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141214 [Appropriation - General Obligation Refunding Bonds of $430,000,000 - FY2014-2015]

Sponsors: Mayor; Breed

Ordinance appropriating $430,000,000 of one or more series of General Obligation Refunding Bond proceeds and placing all of these funds on Controller's Reserve pending the sale of the General Obligation Refunding Bond Proceeds in one or more series.

Supervisor Breed requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141159 [Emergency Work - Repairing Lower Cherry Aqueduct and Upgrading Sunol Valley Water Facilities Related to Drought Declaration - Not to Exceed $33,000,000]

Resolution approving emergency public work of the San Francisco Public Utilities Commission related to drought declaration under Administrative Code, Section 6.60, to perform immediate work to repair Lower Cherry Aqueduct, Sunol Valley Water Treatment Plant, San Antonio Pump Station, and related infrastructure with contract amounts not to exceed $33,000,000 collectively. (Public Utilities Commission)
(Fiscal Impact)

Resolution No. 462-14

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141162 [Master License Agreements - ExteNet Systems, LLC, and GTE Mobilnet of California, LP, d/b/a Verizon Wireless - Outdoor Distributed Antenna System Pole Installation]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Master License Agreements for Outdoor Distributed Antenna System Pole Installation between the City and County of San Francisco, ExteNet Systems (California), LLC, and GTE Mobilnet of California, LP, d/b/a Verizon Wireless, each for a term of 12 years to commence following Board approval. (Public Utilities Commission)

ADOPTED by the following vote:
Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

Supervisor Wiener, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

Supervisor Wiener, seconded by Supervisor Breed, moved that this Resolution be AMENDED on Page 3, Line 22, by adding 'FURTHER RESOLVED, That the Board of Supervisors intends in the Annual Appropriation Ordinance to appropriate funds generated by these leases for the streetlight program; and, be it'. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

Resolution No. 463-14

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141187 [Authorizing the Issuance and Sale of Farebox Revenue Bonds by the Peninsula Corridor Joint Powers Board - Not to Exceed $11,000,000]

Sponsor: Cohen

Resolution authorizing the issuance and sale by the Peninsula Corridor Joint Powers Board of Farebox Revenue Bonds in an aggregate principal amount not to exceed $11,000,000; and authorizing related actions as defined in herein.

Resolution No. 464-14

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141188 [Accept and Expend Grant - State-County Assessor's Partnership Agreement - $1,285,000]

Sponsor: Farrell

Resolution authorizing the Office of the Assessor-Recorder to accept and expend a State-County Assessor's Partnership Agreement Program Grant from the California State Department of Finance in the amount of $1,285,000 ($300,000 for FY2014-2015, $460,000 for FY2015-2016, and $525,000 for FY2016-2017) for the period of October 15, 2014, to June 30, 2017.
(Fiscal Impact)

Resolution No. 465-14

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141212 [Accept and Expend Grant - Regional Groundwater Storage and Recovery Project Phase 1A - South Westside Groundwater Basin, Northern San Mateo County - $1,400,000]

Sponsor: Mayor

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of $1,400,000 from the California Department of Water Resources for the Regional Groundwater Storage and Recovery Project Phase 1A - South Westside Groundwater Basin, Northern San Mateo County.

Resolution No. 466-14

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141213 [General Obligation Refunding Bonds Issuance - Not to Exceed $430,000,000]

Sponsors: Mayor; Breed

Resolution authorizing the issuance of One or More Series of City and County of San Francisco General Obligation Refunding Bonds in an amount not to exceed $430,000,000; approving the form of and authorizing the distribution of a Preliminary Official Statement relating to the issuance of City and County of San Francisco General Obligation Refunding Bonds and authorizing the preparation, execution, and delivery of a final Official Statement; ratifying the approvals and terms and conditions of Resolution No. 448-11; and related matters as defined herein.

Supervisor Breed requested to be added as a co-sponsor.

Resolution No. 467-14

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141218 [Issuance of Special Tax Bonds - Community Facilities District No. 2014-1 - Not to Exceed $1,400,000,000]

Sponsors: Mayor; Kim

Resolution authorizing the issuance and sale of not to exceed $1,400,000,000 Special Tax Bonds for City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) and determining other matters in connection therewith.

Resolution No. 468-14

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141219 [Accept and Expend Grant - H-1B Ready to Work Partnership Grant - $980,000]

Sponsor: Mayor

Resolution retroactively authorizing the Office of Economic and Workforce Development to accept and expend a grant in the amount of $980,000 from the North Valley Workforce Board for the H-1B Ready to Work projects during the period of November 1, 2014, through October 31, 2018.

Resolution No. 469-14

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141220 [Accept and Expend Grant - GO-Biz Capital Infusion Program - $60,000]

Sponsor: Mayor

Resolution retroactively authorizing the Office of Economic and Workforce Development to accept and expend a grant in the amount of $60,000 from the Humboldt State University Sponsored Programs Foundation for the GO-Biz Capital Infusion Program for the period of October 1, 2014, through September 30, 2015.

Resolution No. 470-14

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141224 [Agreement - New Flyer of America, Inc. - Purchase of Low-Floor Diesel-Hybrid Buses - Not to Exceed $68,257,536]

Sponsors: Cohen; Breed and Mar

Resolution approving an agreement with New Flyer of America, Inc., for the purchase of 61 60-foot low-floor diesel-hybrid buses, related tools, training, and spare parts in an amount not to exceed $68,257,536 and for a term not to exceed six years to commence following Board approval. (Fiscal Impact)

Resolution No. 471-14

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141225 [Multifamily Housing Revenue Bonds - Alice Griffith Phase 1 Apartments Project - Not to Exceed $32,500,000]

Sponsor: Cohen

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed $32,500,000 for the purpose of providing financing for the acquisition and construction of a 93-unit multifamily rental housing project known as Alice Griffith Phase 1 Apartments Project, 2600 Arelious Walker Drive, in San Francisco, California; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary as defined herein to implement this Resolution; and related matters as defined herein.

Supervisor Cohen, seconded by Supervisor Farrell, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed $32,500,000 for the purpose of providing financing for the acquisition and construction of a 93-unit multifamily rental housing project known as Alice Griffith Phase 1 Apartments Project, 2600 Arelious Walker Drive, in San Francisco, California; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary as defined herein to implement this Resolution; and related matters as defined herein.

Resolution No. 472-14

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141226 [Multifamily Housing Revenue Bonds - Alice Griffith Phase 2 Apartments Project - Not to Exceed $32,500,000]

Sponsor: Cohen

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed $32,500,000 for the purpose of providing financing for the acquisition and construction of a 91-unit multifamily rental housing project known as Alice Griffith Phase 2 Apartments Project, 2700 Arelious Walker Drive, San Francisco, California; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary as defined herein to implement this Resolution; and related matters as defined herein.

Supervisor Cohen, seconded by Supervisor Farrell, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed $32,500,000 for the purpose of providing financing for the acquisition and construction of a 91-unit multifamily rental housing project known as Alice Griffith Phase 2 Apartments Project, 2700 Arelious Walker Drive, San Francisco, California; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary as defined herein to implement this Resolution; and related matters as defined herein.

Resolution No. 473-14

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141227 [Association of Bay Area Governments Revenue Bond Issuance - Presidio Knolls School - Not to Exceed $13,500,000]

Sponsor: Kim

Resolution approving for purposes of Internal Revenue Code, Section 147(f), the Issuance and Sale of Revenue Bonds by the Association of Bay Area Governments Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $13,500,000 to finance or refinance the acquisition, construction, equipping and/or furnishing of K-12 educational facilities to be owned and operated by Presidio Knolls School, a California nonprofit public benefit corporation.

Resolution No. 474-14

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141229 [Authorizing Expenditures - SoMa Community Stabilization Fund - $500,000]

Sponsors: Kim; Mar

Resolution authorizing the Mayor's Office of Housing and Community Development to expend SoMa Community Stabilization Fund in the amount of $500,000 for the acquisition of a community facility and for college preparatory service connection.
(Fiscal Impact)

Resolution No. 476-14

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141230 [Multifamily Housing Revenue Bonds - 588 Mission Bay Boulevard North (also known as Mission Bay South Block 7 West) - Not to Exceed $62,500,000]

Sponsor: Kim

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $62,500,000 for 588 Mission Bay Boulevard North (also known as Mission Bay South Block 7 West), San Francisco, California 94107; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $ 62,500,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Resolution No. 477-14

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

Recommendations of the Land Use and Economic Development Committee

140919 [Health Code - Gas Station Bathrooms]

Sponsors: Farrell; Kim and Campos

Ordinance amending the Health Code to eliminate the requirement that gasoline stations provide separate toilet facilities for men and women.

Supervisors Kim and Campos requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141093 [Zoning - Interim Moratorium Extension on Production, Distribution, and Repair Conversion in the Proposed Central South of Market Plan Area]

Sponsors: Kim; Avalos, Campos and Mar

Urgency Ordinance approving an extension of the interim zoning moratorium to prohibit the conversion or replacement of Production, Distribution, and Repair uses in the proposed Central South of Market Plan Area bounded by Market Street on the north, Townsend Street on the south, 2nd Street on the east, and 6th Street on the west, for 22 months and 15 days, affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the eight priority policies of Planning Code, Section 101.1.

Ordinance No. 258-14

FINALLY PASSED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Cohen, seconded by Supervisor Farrell, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

Supervisor Cohen introduced, welcomed, and presented a Certificate of Honor to Officer Michael Rivera of the San Francisco Police Department for his work with the Wilderness Program out of Gilman Playground in the Bayview, his accomplishments, and continued community support.

SPECIAL ORDER 3:00 P.M.

141018 [Public Hearing - Appeal of Tentative Map - 639 Peralta Avenue]

Hearing of persons interested in or objecting to the decision of the Department of Public Works, dated September 18, 2014, approving a Tentative Map for a 2-Unit New Construction Condominium Project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014. (District 9) (Appellant: Alexander M. Weyand, on behalf of William H. Bradley) (Filed September 29, 2014). (Clerk of the Board)

Angela Calvillo, Clerk of the Board, acknowledged receipt of a letter received from Alexander Weyand (Appellant) and David Myers (Project Sponsor), dated December 12, 2014, for property located at 639 Peralta Avenue requesting a continuance of the appeal.

Supervisor Campos, seconded by Supervisor Breed, moved that this Hearing be CONTINUED OPEN to January 13, 2015, at 3:00 p.m. The motion carried by the following vote:
Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

Supervisor Campos, seconded by Supervisor Breed, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. Rebecca Hoberg spoke in favor of the proposed continuance. There were no other speakers. The President declared public comment closed.

Supervisor Campos, seconded by Supervisor Breed, moved that this Hearing be CONTINUED OPEN to January 27, 2015, at 3:00 p.m. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

The President CONTINUED OPEN the Hearing to January 27, 2015, at 3:00 p.m.

141019 [Approving Decision of Public Works and Approving the Tentative Parcel Map - 639 Peralta Avenue]

Motion approving decision of Public Works and approving the Tentative Parcel Map for a 2-unit new construction condominium project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Breed, moved that this Motion be CONTINUED to January 27, 2015, at 3:00 p.m. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141020 [Disapproving Decision of Public Works and Disapproving the Tentative Parcel Map - 639 Peralta Avenue]

Motion disapproving decision of Public Works and disapproving the Tentative Parcel Map for a 2-unit new construction condominium project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Breed, moved that this Motion be CONTINUED to January 27, 2015, at 3:00 p.m. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141021 [Preparation of Findings Related to the Tentative Parcel Map - 639 Peralta Avenue]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 2-unit new construction condominium project located at 639 Peralta Avenue, Assessor's Block No. 5634, Lot No. 014. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Breed, moved that this Motion be CONTINUED to January 27, 2015, at 3:00 p.m. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

SPECIAL ORDER 3:00 P.M.

141244 [Public Hearing - Appeal of Exemption from Environmental Review - 312 Green Street]

Hearing of persons interested in or objecting to the determination of categorical exemption from environmental review under the California Environmental Quality Act issued by the Planning Department on January 15, 2013, for the proposed project at 312 Green Street. (District 3) (Appellant: Ryan J. Patterson, on behalf of Jack Oswald and Anneke Seley) (Filed November 24, 2014). (Clerk of the Board)

Angela Calvillo, Clerk of the Board, acknowledged receipt of letters received from Bruno Kanter (Project Sponsor), dated December 4, 2014, and Ryan Patterson (Appellant), dated December 5, 2014, for property located at 312 Green Street requesting and/or supporting a continuance of the appeal.

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. There were no speakers. The President declared public comment closed.

Supervisor Mar, seconded by Supervisor Campos, moved that this Hearing be CONTINUED to January 13, 2015, at 3:00 p.m. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

The President CONTINUED the Hearing to January 13, 2015, at 3:00 p.m.

141245 [Affirming the Exemption Determination - 312 Green Street]

Motion affirming the determination by the Planning Department that a proposed project at 312 Green Street is exempt from environmental review. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Campos, moved that this Motion be CONTINUED to January 13, 2015, at 3:00 p.m. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141246 [Reversing the Exemption Determination - 312 Green Street]

Motion reversing the determination by the Planning Department that a proposed project at 312 Green Street is exempt from environmental review. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Campos, moved that this Motion be CONTINUED to January 13, 2015, at 3:00 p.m. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141247 [Preparation of Findings to Reverse the Exemption Determination - 312 Green Street]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that a proposed project at 312 Green Street is exempt from environmental review. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Campos, moved that this Motion be CONTINUED to January 13, 2015, at 3:00 p.m. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

SPECIAL ORDER 3:00 P.M.

141248 [Public Hearing - Appeal of Tentative Map - 3032, and 3038-3040 Clement Street]

Hearing of persons interested in or objecting to the decision of Public Works dated November 20, 2014, approving a Tentative Map for a Six Residential and One Commercial Unit Mixed-Use New Construction Condominium Project located at 3032, and 3038-3040 Clement Street, Assessor's Block No. 1402, Lot Nos. 022 and 023. (District 1) (Appellant: Karl Nakamura) (Filed December 1, 2014). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Karl Nakamura (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. There were no speakers in support of the appeal. Bruce Storrs, City Surveyor, and AnMarie Rodgers (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Mark Loper and Reza Khoshnevisan (Project Sponsor) provided an overview of the project and further requested the Board to uphold the decision of Public Works. There were no speakers in support of the project and in opposition to the appeal. Karl Nakamura (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

141249 [Approving the Decision of Public Works and Approving the Tentative Map - 3032, 3038-3040 Clement Street]

Motion approving the decision of Public Works and approving the Tentative Map Appeal for a Six Residential and One Commercial Unit Mixed-Use New Construction Condominium Project located at 3032, 3038-3040 Clement Street, Assessor's Block No. 1402, Lot Nos. 022 and 023; making environmental findings and findings of consistency with the City's General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Campos, moved that this Motion be AMENDED on Page 1, Line 1, by striking 'Appeal'; on Line 4, by striking 'Appeal'; on Line 11, by striking 'Appeal'; on Line 17, by striking 'Appeal'; on Page 2, Line 6, by striking 'Appeal'; and on Line 10, by striking 'Appeal'. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

Motion approving the decision of Public Works and approving the Tentative Map for a Six Residential and One Commercial Unit Mixed-Use New Construction Condominium Project located at 3032, 3038-3040 Clement Street, Assessor's Block No. 1402, Lot Nos. 022 and 023; making environmental findings and findings of consistency with the City's General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

Motion No. M14-217

Supervisor Mar, seconded by Supervisor Campos, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141250 [Disapproving the Decision of Public Works and Disapproving the Tentative Map - 3032, 3038-3040 Clement Street]

Motion disapproving the decision of Public Works and disapproving the Tentative Map for a Six Residential and One Commercial Unit Mixed-Use New Construction Condominium Project located at 3032, 3038-3040 Clement Street; making environmental findings and findings of consistency with the City's General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

141251 [Preparation of Findings Related to the Tentative Map - 3032, 3038-3040 Clement Street]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Map for a Six Residential and One Commercial Unit Mixed-Use New Construction Condominium Project located at 3032, 3038-3040 Clement Street, Assessor's Block No. 1402, Lot Nos. 022 and 023. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

141278 [Hearing - Reappointment, Retirement Board - Wendy Paskin-Jordan]
Hearing to consider the Motion (File No. 141279) approving or rejecting the Mayor's reappointment of Wendy Paskin-Jordan to the Retirement Board, seat 4, for a four-year term ending February 20, 2019. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to the Mayor's reappointment of Wendy Paskin-Jordan to the Retirement Board. Supervisor Avalos provided some opening remarks. Caryn Bortnick (San Francisco Employees' Retirement System) and Jon Givner, Deputy City Attorney, responded to questions raised throughout the discussion. Steve Zeltzer; Richard Rothman; Jack Fleck; Rebecca Solman; Brian Wilson; Jed Holtsman; Cathy Session; Kay Walker; Martha Hawthorne; Patricia Jackson; Kimberly Peckle; David Williams; Michael Lyon; AnMarie Dontekaur; Amy Farah-Weiss; spoke in opposition of the reappointment of the applicant. Walter Paulson; shared in song certain concerns with the Board. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

141279 [Reappointment, Retirement Board - Wendy Paskin-Jordan]
Motion approving/rejecting the Mayor's reappointment of Wendy Paskin-Jordan to the Retirement Board, seat 4, for a four-year term ending February 20, 2019. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Avalos, moved that this Motion be CONTINUED to a Special Meeting of the Board of Supervisors on January 7, 2015, at 2:00 p.m. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

141281 [Hearing - Status of the Labor Dispute at San Francisco International Airport Restaurants]

Hearing to consider and discuss the issues arising from the labor dispute at the San Francisco International Airport restaurants. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to the issues arising from the labor dispute at the San Francisco International Airport restaurants. Supervisors Mar and Campos provided some opening remarks. Privilege of the floor was granted unanimously to Arand Singh (Local 2) who provided an overview of the issues arising from the labor dispute. Dr. Cesar Churchfell; Ace Washington; Molly Gomez; Jessie Johnson; Male Speaker; Fernando Salazar; Daniel Joe; Perla Ocop; Eva Tin; Anita Chang; Female Speaker; Jeanine Hessling; Female Speaker; Erica Pardo; Sam; Joan Geary; Pauline Murphy; Juliana Pinassang; Mike Walko; Male Speaker; Sylvestor Lopez; Guillermo Lopez; Roberto Calvo; River; Katie Herzog; Almadero Mondaves; Male Speaker; Charles Pitts; Male Speaker; spoke expressing various concerns relating to the issues arising from the labor dispute. Walter Paulson; shared in song certain concerns with the Board. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

Supervisor Campos, seconded by Supervisor Mar, moved that the Board of Supervisors direct the Clerk of the Board to agendize a Motion to Sit as a Committee of the Whole and schedule a Hearing relating to the issues arising from the labor dispute at the San Francisco International Airport restaurants at a Special Meeting of the Board of Supervisors on January 7, 2015, at 2:00 p.m. The motion carried without objection. No further action was taken.

COMMITTEE REPORT

Recommendation of the Land Use and Economic Development Committee

141273 [Street Encroachment - Market Street from Van Ness Avenue to The Embarcadero - Illuminate The Arts]

Sponsors: Wiener; Kim and Mar

Resolution granting revocable permission to Illuminate The Arts to occupy a portion of the public right-of-way to install and maintain a public art project comprised of a subway-responsive light sculpture (LightRail) along Market Street between Van Ness Avenue and The Embarcadero, affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 478-14

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Amy Farah Weiss; expressed various concerns relating to Harding Theater, affordable housing, and spoke in support for proposed legislation relating to equal justice.
Frank DelCampo; spoke in support for proposed legislation relating to equal justice.
Martin Halloran (San Francisco Police Officers Association); spoke in opposition to proposed legislation relating to equal justice.
Sarah Osaka; expressed various concerns relating to affordable housing and spoke in support for proposed legislation relating to equal justice.
Walter Paulson; shared in song certain concerns with the Board.
Juana Terrea; spoke in support for proposed legislation relating to equal justice.
Jarrod Brown; spoke in support for proposed legislation relating to equal justice.
Female Speaker; expressed various concerns relating to competitive job market and economic depression.
John DiDonna; shared in poem certain concerns with the Board relating to Christmas.
Michael Lyon; spoke in support for proposed legislation relating to equal justice and offered an amendment for consideration.
Female Speaker; spoke in support for proposed legislation relating to equal justice and Human Rights Day.
Rena McAllaway; spoke in support for proposed legislation relating to equal justice and police brutality.
Nancy Menendez; expressed various concerns relating to equal justice and in opposition to current proposed legislation.
Female Speaker; expressed various concerns relating to neighborhood violence and in support for proposed legislation relating to equal justice.
Male Speaker; spoke in support for proposed legislation relating to equal justice.
Peter Warfield (Library User's Association); expressed various concerns relating to the SF Public Library, upcoming cataloging programming, and patron privacy.
Male Speaker; expressed various concerns relating to the SF Public Library, upcoming cataloging programming, youth population, patron privacy, and in support for proposed legislation relating to equal justice.
Latonda Belfree; expressed various concerns relating to police brutality and spoke in support for proposed legislation relating to equal justice.
Female Speaker; spoke in support for proposed legislation relating to equal justice.
David Elliott Lewis; expressed various concerns relating to mental illness and Mental Health Board.
Maria; spoke in support for proposed legislation relating to equal justice.
Male Speaker; spoke in support for proposed legislation relating to equal justice.
Male Speaker; expressed various religious concerns.
Male Speaker; expressed various concerns relating to the holiday season and safety.
Charles Pitts; expressed various concerns relating to homelessness and police brutality.
Adriana Morena; spoke in support for proposed legislation relating to equal justice.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

141274 [Establishing the Calendar Date of December 10 as Human Rights Day]

Sponsors: Campos; Avalos and Mar

Resolution establishing the calendar date of December 10 to be forever known as Human Rights Day in the City and County of San Francisco to celebrate the important passage of the Universal Declaration of Human Rights.

Resolution No. 480-14

ADOPTED

141275 [Expressing Support for President Obama's Guidelines on Racial Profiling]

Sponsor: Cohen

Resolution expressing support for President Obama's new guidelines, released on December 8, 2014, limiting racial profiling by federal law enforcement officers.

Resolution No. 481-14

ADOPTED

141276 [Urging the California Judicial Council to Reevaluate the Fines and Related Fees of the California Vehicle Code]

Sponsors: Tang; Kim

Resolution urging the California Judicial Council to reevaluate the fines and related fees for violating the California Vehicle Code, Sections 22450(a), 21950(a), 21801(a), 23123, and 21756.

Resolution No. 482-14

ADOPTED

141283 [Approval of a 90-Day Extension for Planning Commission Review of an Ordinance (File No. 141036) Amending Regulation of Short-Term Residential Rentals and Establishing an Application Fee]

Sponsor: Kim

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 141036) amending the Administrative Code to provide an exception for permanent residents to the prohibition on short-term residential rentals under certain conditions; to create procedures, including a registry administered by the Planning Department, for tracking short-term residential rentals and compliance; to establish an application fee for the registry; amending the Planning Code to clarify that short-term residential rentals shall not change a unit's type as residential; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Resolution No. 479-14

ADOPTED

141252 [Adoption of Findings Related to the Conditional Use Authorization - 395-26th Avenue]

Motion adopting findings in support of the Board of Supervisors' disapproval of the decision of the Planning Commission by its Motion No. 19229, regarding the Conditional Use Authorization identified as Planning Case No. 2013.0205CEKSV on property located at 395-26th Avenue. (Clerk of the Board)

Motion No. M14-220

APPROVED

141259 [Final Map 7986 - 400 Grove Street]

Motion approving Final Map 7986, a 35 residential unit and 3 commercial unit, mixed-use Condominium Project, located at 400 Grove Street, being a subdivision of Assessor's Block No. 0793, Lot No. 103, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M14-221

APPROVED

141260 [Final Map 7987 - 325 Octavia Street]

Motion approving Final Map 7987, a 182 residential unit and 3 commercial unit, mixed-use Condominium Project, located at 325 Octavia Street, being a subdivision of Assessor's Block No. 0831, Lot No. 023, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M14-222

APPROVED

141261 [Final Map 8210 - 4132-4138 Third Street]

Motion approving Final Map 8210, a 7 residential unit and 1 commercial unit, mixed-use New Construction Condominium Project, located at 4132-4138 Third Street, being a subdivision of Assessor's Block No. 5260, Lot No. 040, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M14-223

APPROVED

141262 [Final Map 7316 - 738-6th Avenue]

Motion approving Final Map 7316, a six residential unit, Condominium Project, located at 738-6th Avenue, being a subdivision of Assessor's Block No. 1648, Lot No. 032, and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M14-224

APPROVED

141263 [Final Map 8369 - 450-499 Arelious Walker Drive]

Motion approving Final Map 8369, a 15 lot subdivision located within Assessor's Block No. 4884, Lot Nos. 25, and 27 and Assessor's Block No. 4886, Lot No. 6, (portions of) comprised of lots (Lots 4-1, 5-1, 12-1, 13-1, Lots A, B, C, D, E, F, and G, Lot B-MB, and Lots C-OS1, C-OS2, C-OS3), and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M14-225

APPROVED

141288 [Concurring in the Second Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]

Sponsor: Mayor

Motion concurring in the "Rim Fire" Second Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

Motion No. M14-226

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Tang requested that File No. 141277 be severed so that it may be considered separately.

141277 [Committee of the Whole - Reappointment, Retirement Board - Wendy Paskin-Jordan - December 16, 2014]

Sponsor: Avalos

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, on December 16, 2014, at 3:00 p.m., to hold a public hearing to approve or reject the Mayor's reappointment of Wendy Paskin-Jordan to the Retirement Board, seat 4, for a four-year term ending February 20, 2019.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 141277. Cathy Session; Steve Zeltzer; Female Speaker; spoke in support of sitting as a Committee of the Whole. Walter Paulson; shared in song certain concerns with the Board. There were no other speakers. The President declared public comment closed.

Motion No. M14-218

APPROVED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

Supervisor Tang requested that File No. 141280 be severed so that it may be considered separately.

141280 [Committee of the Whole - Status of the Labor Dispute at San Francisco International Airport Restaurants]

Sponsors: Mar; Campos

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, on December 16, 2014, at 3:00 p.m., to hold a public hearing to consider and discuss the issues arising from the labor dispute at the San Francisco International Airport restaurants.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 141280. Walter Paulson; shared in song certain concerns with the Board. There were no other speakers. The President declared public comment closed.

Motion No. M14-219

APPROVED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

Supervisor Avalos requested that File No. 141234 be severed so that it may be considered separately.

141234 [Affirming the Board of Supervisors Commitment to Equal Justice and the Right to Protest and Urging Reforms in National Policing and Judicial Practices]

Sponsor: Avalos

Resolution affirming the San Francisco Board of Supervisors commitment to equal justice under the law and the First Amendment right to protest, recognizing the United States' broken and racially biased police and justice systems, and urging the Department of Justice, Congress, and President Obama to review national policing and judicial practices to truly bring equal justice under the law.

Supervisor Avalos, seconded by Supervisor Campos, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

Resolution affirming the San Francisco Board of Supervisors commitment to equal justice under the law and the First Amendment right to protest, recognizing the United States' broken and racially biased police and justice systems, commending the San Francisco Police Department for its upholding protesters First Amendment Rights and urging the Department of Justice, Congress, and President Obama to review national policing and judicial practices to truly bring equal justice under the law.

Supervisor Cohen, seconded by Supervisor Breed, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion FAILED by the following vote:

Ayes: 5 - Breed, Cohen, Farrell, Tang, Wiener
Noes: 4 - Avalos, Campos, Kim, Mar
Excused: 1 - Yee

Supervisor Breed DUPLICATED AS AMENDED.

See File No. 141295.

NOT ADOPTED AS AMENDED by the following vote:

Ayes: 4 - Avalos, Campos, Kim, Mar
Noes: 5 - Breed, Cohen, Farrell, Tang, Wiener
Excused: 1 - Yee

141295 [Affirming the Board of Supervisors Commitment to Equal Justice and the Right to Protest and Urging Reforms in National Policing and Judicial Practices]
Sponsor: Avalos
Resolution affirming the San Francisco Board of Supervisors commitment to equal justice under the law and the First Amendment right to protest, recognizing the United States' broken and racially biased police and justice systems, commending the San Francisco Police Department for its upholding protesters First Amendment Rights and urging the Department of Justice, Congress, and President Obama to review national policing and judicial practices to truly bring equal justice under the law.

Duplicated from File No. 141234.

Supervisor Breed, seconded by Supervisor Cohen, moved that this Resolution be REFERRED to the Neighborhood Services and Safety Committee. Pursuant to Board Rule 5.14, the affirmative vote of a majority of the Supervisors present, there being only nine Board Members present, the majority is five affirmative votes. Therefore, the motion carried by the following vote:

Ayes: 5 - Breed, Cohen, Farrell, Tang, Wiener
Noes: 4 - Avalos, Campos, Kim, Mar
Excused: 1 - Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Ordinances

141296 [Appropriation - Water Enterprise Fund Balance for the Cleanup of Contaminated Soil at Lake Merced - $9,500,000 - FY2014-2015]
Sponsor: Mayor
Ordinance appropriating $9,500,000 from Water Enterprise fund balance in the Public Utilities Commission Water Enterprise Department budget to support the cleanup of contaminated soil at Lake Merced in FY2014-2015.
(Fiscal Impact; No Budget and Legislative Analyst Report.)

12/16/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/15/2015.

141297 [Public Works Code - Personal Wireless Service Facility Site Permits, and Amending Fees]

Sponsor: Avalos

Ordinance amending the Public Works Code to modify certain requirements for Personal Wireless Service Facility Site Permits, amending the fees for obtaining such permits; and making environmental findings.

12/16/14; ASSIGNED to Budget and Finance Committee.

141298 [Various Codes - Noise Regulations Relating to Residential Uses Near Places of Entertainment]

Sponsors: Breed; Wiener

Ordinance amending the Building, Administrative, Planning, and Police Codes to require attenuation of exterior noise for new residential structures and acoustical analysis and field testing in some circumstances; to provide that a Place of Entertainment (POE) permitted for 12 months not become a public or private nuisance on the basis of noise for nearby residents of newly constructed or converted residential structures; to authorize the Entertainment Commission to hold a hearing on a proposed residential use near a POE, and require the project sponsor's participation in the hearing; to authorize the Entertainment Commission to measure noise conditions at such project sites and provide comments and recommendations regarding noise to the Planning Department and Department of Building Inspection; to require lessors and sellers of residential property to disclose to lessees and purchasers potential noise and other inconveniences associated with nearby POE's and authorize civil penalties for not providing disclosure; to require that such disclosure requirements be recorded against a residential property in a Notice of Special Restrictions; to require the Planning Department and Commission to consider noise issues when reviewing proposed residential projects; and to specify factors concerning noise for the Entertainment Commission to review when considering granting a POE permit; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of local conditions under California Health and Safety Code, Section 17958.7; and directing the Clerk of the Board of Supervisors to forward the Ordinance to specified state agencies upon final passage.

12/16/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/15/2015.

141299 [Appropriation - Revenue and Expenditure Supporting Portable Restroom Facilities - $203,200 - FY2014-2015]

Sponsor: Kim

Ordinance appropriating $203,200 to the Public Works Operating Budget in order to support and maintain portable restroom facilities and waste stations in FY2014-2015.
(Fiscal Impact; No Budget and Legislative Analyst Report.)

12/16/14; ASSIGNED to Budget and Finance Committee.

141300 [Police Code - Rights of Formula Retail Employees in Hotels]

Sponsor: Mar

Ordinance amending the Police Code to allow collective bargaining agreements covering employees of Formula Retail Establishments in hotels to waive the protections of Articles 33F and 33G, which, among other things, require employers to offer additional hours of work, when available, to current part-time employees; require successor employers to retain employees for 90 days upon a change in control of the business; provide employees with certain rights regarding notice of and changes to their work schedules; and provide part-time employees with the same starting rate of hourly pay, access to time off, and eligibility for promotions, as provided to full-time employees.

12/16/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/15/2015.

141301 [Appropriation - Cost of Doing Business for Non-Profit Agencies - General City Responsibility - $3,400,000 - FY2014-2015]

Sponsors: Mar; Campos

Ordinance appropriating $3,400,000 from the General Fund Reserve to General City Responsibility to fund a cost of business allocation for non-profit agencies that contract with the City and County of San Francisco.
(Fiscal Impact; No Budget and Legislative Analyst Report.)

12/16/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/15/2015.

141302 [Health Code - Massage Practitioners, Establishments, and Associated Fees]

Sponsor: Tang

Ordinance amending the Health Code to comprehensively revise regulation of massage practitioners and establishments by, among other things; 1) eliminating the exemption of massage establishments employing only State-certified massage practitioners from the permitting and regulatory authority of the Department of Public Health; 2) increasing the number of instructional hours required for general and advanced massage practitioner permits; 3) denying massage establishment permits to applicants who have been convicted of or are currently charged with criminal acts related to human trafficking; 4) aligning massage practitioner attire requirements with State law; 5) incorporating State human trafficking information posting requirements into local law for enforcement purposes; 6) revising the timing and criteria for granting, denying, suspending, and revoking general and advanced massage practitioner permits, massage establishment permits, outcall massage service permits, and sole practitioner massage establishment permits; 7) specifying massage practitioner permit application and annual license fees; 8) updating the application and annual license fee amounts for massage establishments, outcall massage services, and sole practitioner massage establishments to reflect the currently authorized amounts; and 9) grouping related requirements and making other changes to enhance clarity and promote compliance.

12/16/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/15/2015.

141303 [Planning Code - Massage Establishments]

Sponsor: Tang

Ordinance amending the Planning Code to require that massage establishments, as defined, obtain a Conditional Use permit; listing exceptions to that requirement; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

12/16/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/15/2015.

Resolutions

141304 [Supporting the San Francisco 2024 Olympic Bid]

Sponsors: Mayor; Farrell, Breed, Kim, Tang, Wiener and Cohen

Resolution supporting the efforts of San Francisco 2024 (SF2024) to bring the 2024 Olympic and Paralympic Games to the San Francisco Bay Area and encouraging the United States Olympic Committee to select San Francisco as the official U.S. Candidate City for the 2024 Olympic and Paralympic Games; authorizing the Mayor to execute an Agreement with SF2024; authorizing the Mayor to execute the Joinder Agreement with the United States Olympic Committee; and authorizing the Mayor to execute the Host City Contract.

12/16/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

141305 [Accept and Expend Grant - Housing Related Parks Program - $6,352,275]

Sponsor: Mayor

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant in the amount of $6,352,275 from the State of California Department of Housing and Community Development to fund Housing Related Parks Projects identified in Exhibit A of the Grant Standard Agreement for the period of November 17, 2014, through June 30, 2016, and delegating authority to the General Manager of the Recreation and Park Department to reallocate funds among approved projects where necessary to maximize City recovery from the Grant during the eligible expenditure period.

12/16/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141306 [Declaring Election Results - Approved by Electors of City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center)]

Sponsor: Kim

Resolution declaring results of Special Election that was approved by the qualified electors, and directing recording of notice of special tax lien for the City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) and determining other matters in connection therewith.

12/16/14; RECEIVED AND ASSIGNED to Board of Supervisors.

141307 [Resolution Declaring Election Results - Not Approved by Electors of City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center)]

Sponsor: Kim

Resolution declaring results of Special Election that was not approved by the qualified electors for the City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) and determining other matters in connection therewith.

12/16/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141310 [Disposition and Development Agreement - Successor Agency to the San Francisco Redevelopment Agency Land - Transbay Block 9]

Sponsor: Kim

Resolution approving the disposition of land by the Office of Community Investment and Infrastructure as Successor Agency to the San Francisco Redevelopment Agency and making findings under the Health and Safety Code, Section 33433, as required under the Transbay Redevelopment Plan for the parcel located on Folsom Street between Essex and First Streets, Assessor's Parcel Block No. 3736, Lot No. 120, commonly known as Transbay Block 9.

12/16/14; ASSIGNED UNDER 30 DAY RULE to Board of Supervisors.

141311 [Real Property Lease - Third and Mission Associates, LLC - 167 Jessie Street - $1 Per Year Base Rent]

Sponsor: Kim

Resolution authorizing the Lease between the City and County of San Francisco, as Tenant, and Third and Mission Associates, LLC, as Landlord, of approximately 4,124 square feet in the building located at 167 Jessie Street for a term of 87 years at a base rent of $1 per year, to commence upon approval by the Board of Supervisors and Mayor, in their respective sole and absolute discretion.

12/16/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141312 [Yerba Buena Community Benefit District - Annual Reports to the City - FYs 2010-2014]

Sponsor: Kim

Resolution receiving and approving annual reports for the Yerba Buena Community Benefit District for FYs 2010-2014, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's Management Agreement with the City, Section 3.4.

12/16/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

141313 [Correcting Attachment A in Resolution No. 251-14 - Recurring State Grant Funds - Department of Public Health - FY2014-2015]

Sponsor: Mayor

Resolution correcting Attachment A of Resolution No. 251-14, a Resolution authorizing the acceptance and expenditure of recurring State grant funds by the Department of Public Health for FY2014-2015.

12/16/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141314 [National Slavery and Human Trafficking Awareness and Prevention - Establish the Month of January and Calendar Day of January 11]

Sponsors: Tang; Farrell, Avalos, Kim, Yee and Mar

Resolution recognizing the calendar month of January as National Slavery and Human Trafficking Prevention Month, and the calendar day of January 11 as National Human Trafficking Awareness Day in the City and County of San Francisco, and supporting the campaign to bring awareness to the issue of human trafficking.

12/16/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

141317 [Committee of the Whole - Status of the Labor Dispute at San Francisco International Airport Restaurants]

Sponsors: Mar; Campos

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, on January 7, 2015, at 2:00 p.m., to hold a public hearing to consider and discuss the issues arising from the labor dispute at the San Francisco International Airport restaurants.

12/16/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

141315 [Hearing - Short and Long Term Strategies to Alleviate Flooding Along the Folsom Street Corridor in the Mission District]

Sponsor: Campos

Hearing to explore the potential short and long term strategies to help alleviate the effects of flooding along Folsom street in the Mission District, one of the most impacted areas in the city with regard to flooding as a result of heavy storms, and requesting the Public Utilities Commission to report.

12/16/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

141316 [Hearing - Supportive Housing for the Homeless System Improvements]

Sponsor: Farrell

Hearing on the supportive housing for the homeless system improvements and recently released supportive housing City reports.

12/16/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

141318 [Hearing - Status of the Labor Dispute at San Francisco International Airport Restaurants]

Hearing to consider and discuss the issues arising from the labor dispute at the San Francisco International Airport restaurants. (Clerk of the Board)

12/16/14; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

141253 [Planning Code - Consolidate Definitions, Reorganize Article 2, and Make Other Nonsubstantive Changes to Update, Clarify, and Simplify Code Language]

Sponsor: Wiener

Ordinance amending the Planning Code to consolidate definitions into Section 102, reorganize Article 2 to create Zoning Control Tables, and make nonsubstantive changes to various sections in Articles 1, 2, 3, 4, 6, 7, and 8, in order to update, clarify, and simplify Code language; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

12/01/14; RECEIVED FROM DEPARTMENT.

12/16/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/15/2014.

141264 [General Plan Amendments - Urban Forest Plan (Phase 1: Street Trees)]

Sponsor: Wiener

Ordinance amending the General Plan by amending Policy 3.6 of the Recreation and Open Space Element to reflect the adoption by reference of the Urban Forest Plan (Phase 1: Street Trees); affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

12/09/14; RECEIVED FROM DEPARTMENT.

12/16/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/15/2015.

PROPOSED RESOLUTIONS

141254 [Settlement of Claim - Liam Ford, Simone Ford and the Estate of Lynne Spalding Ford - $2,941,000]

Resolution approving the settlement of the unlitigated claim filed by Liam Ford, Simone Ford, and the Estate of Lynne Spalding Ford against the City and County of San Francisco for $2,941,000; claim was filed on March 4, 2014. (City Attorney)

12/04/14; RECEIVED FROM DEPARTMENT.

12/16/14; RECEIVED AND ASSIGNED to Rules Committee.

141255 [Settlement of Unlitigated Claim - Pacific Gas and Electric Company - City to Receive $759,000]

Resolution approving settlement of the unlitigated claim by the City and County of San Francisco against Pacific Gas and Electric Company for $759,000. (City Attorney)

12/08/14; RECEIVED FROM DEPARTMENT.

12/16/14; RECEIVED AND ASSIGNED to Rules Committee.

141256 [Customer Generation Agreement - Pacific Gas and Electric Company - Solar Power Project - Pier One]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to enter into a Customer Generation Agreement with Pacific Gas and Electric Company for a Solar Power Project at Pier One, to continue indefinitely, unless terminated. (Public Utilities Commission)

12/08/14; RECEIVED FROM DEPARTMENT.

12/16/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141257 [California Constitution Appropriations Limit - FY2014-2015]

Resolution establishing the appropriations limit for FY2014-2015 pursuant to California Constitution, Article XIII B. (Controller)
(Fiscal Impact)

12/08/14; RECEIVED FROM DEPARTMENT.

12/16/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriams

Louis Jessie Armstrong, Sr. - Supervisor Cohen
Liana Villaseñor - Supervisor Kim
Laura Jung Lai - Supervisor Mar
Chol Soo Lee - Supervisor Mar
Tai Lam - Supervisor Mar

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 8:45 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 13, 2015.

Angela Calvillo, Clerk of the Board

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